

Also, petition of M. O'Connor & Co., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of East Washington Citizens' Association, against provision in naval appropriation bill requiring the Philadelphia, Baltimore and Washington Railway Company to maintain its railway connection with the Washington Navy-Yard by grade tracks on K and Canal streets SE.—to the Committee on Naval Affairs.

By Mr. PADGETT: Paper to accompany bill for relief of estate of John W. Neely—to the Committee on War Claims.

By Mr. PEARRE: Paper to accompany bill for relief of Mount Vernon Reformed Church, of Keedysville, Md.—to the Committee on War Claims.

By Mr. PORTER: Petition of Stafford Grange, No. 418, of Genesee County, N. Y., favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON: Paper to accompany bill for relief of Mary Tullis—to the Committee on War Claims.

Also, papers to accompany bills for relief of Jonathan B. Hall and S. F. Kennamer—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of William Fuller—to the Committee on Pensions.

By Mr. SLEMP: Paper to accompany bill for relief of William M. Shoupe—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: Petition of business firms and citizens of Columbus, Ohio, against a parcels-post and postal savings banks bill—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Petition of National Lumber Manufacturers' Association, against decrease of tariff on lumber—to the Committee on Ways and Means.

Also, papers to accompany bills for relief of John Wise, heirs of Nancy Barfield, and heir of Mary Everitt—to the Committee on War Claims.

By Mr. WEBB: Paper to accompany bill for relief of L. Z. Hoffman—to the Committee on Pensions.

By Mr. WILLIAMS: Petition of citizens of Corinth, Miss., for appropriation to extend limits of Shiloh National Park (H. R. 39)—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of heirs of John H. McCutchen—to the Committee on War Claims.

## SENATE.

FRIDAY, January 22, 1909.

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### POST-OFFICE BUILDING IN DETROIT, MICH.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill (S. 7951) to provide for the erection of a temporary annex to the post-office building in Detroit, Mich.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to cause to be erected a temporary annex on the west side of the federal building in Detroit, Mich., to meet the necessities of the business of the post-office, at a total cost not to exceed \$7,500, or so much thereof as may be necessary; the temporary annex to take the place of the annex to be removed from the north side of the building during the erection of the permanent addition now under construction.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

### ELECTORAL VOTE OF NEBRASKA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, an authenticated copy of the certification of the final ascertainment of electors for President and Vice-President appointed in the State of Nebraska, which, with the accompanying paper, was ordered to be filed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 26709) to amend an act to provide for the reorganization of the consular service of the United States, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice-President:

S. 653. An act to authorize commissions to issue in the cases

of officers of the Army, Navy, and Marine Corps and of the Revenue-Cutter Service retired with increased rank;

S. 6665. An act for the relief of Charles H. Dickson;

H. R. 15098. An act to correct the military record of John H. Layne;

H. J. Res. 232. Joint resolution to enable the States of Mississippi and Louisiana to agree upon a boundary line and to determine the jurisdiction of crimes committed on the Mississippi River and adjacent territory; and

H. J. Res. 233. Joint resolution to enable the States of Mississippi and Arkansas to agree upon a boundary line and to determine the jurisdiction of crimes committed on the Mississippi River and adjacent territory.

### CREDENTIALS.

Mr. DEPEW presented the credentials of Elihu Root, chosen by the legislature of the State of New York a Senator from that State for the term beginning March 4, 1909, which were read and ordered to be filed.

### PETITIONS AND MEMORIALS.

Mr. PERKINS presented a memorial, in the nature of a telegram, of the legislature of the State of California, remonstrating against the repeal of the duty on grapes imported from Spain, which was ordered to lie on the table.

Mr. PLATT presented a petition of Farmington Grange, No. 431, Patrons of Husbandry, of Ontario County, N. Y., and a petition of sundry citizens of the State of New York, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the board of directors of the Trades League of Philadelphia, Pa., praying for the enactment of legislation to increase the salaries of the United States circuit and district court judges, which was ordered to lie on the table.

He also presented a memorial of sundry members of the Forty-second Annual Encampment of the Department of New York, Grand Army of the Republic, of Buffalo, N. Y., remonstrating against the enactment of legislation to abolish certain pension agencies throughout the country, which was referred to the Committee on Pensions.

Mr. SCOTT presented the petition of Daniel S. Bush, of Harrisville, W. Va., praying for the enactment of legislation to create a volunteer retired list in the War and Navy departments for the surviving officers of the civil war, which was referred to the Committee on Military Affairs.

Mr. DILLINGHAM presented a petition of sundry citizens of the State of Vermont, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BURKETT presented a petition of the Commercial Club, of Broken Bow, Nebr., praying for the enactment of legislation granting travel pay to railway postal clerks, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. KNOX presented a memorial of Courtland Saunders Post, No. 21, Department of Pennsylvania, Grand Army of the Republic, of Philadelphia, Pa., remonstrating against the enactment of legislation to abolish certain pension agencies throughout the country, which was referred to the Committee on Pensions.

He also presented a petition of the National Board of Trade of Philadelphia, Pa., and a petition of the Chamber of Commerce of Pittsburg, Pa., praying that an appropriation be made for the improvement of the rivers and harbors of the country, which were referred to the Committee on Commerce.

He also presented petitions of Grange No. 91, of Russellville; Grange No. 875, of Columbus; Grange No. 503, of Oliveville; Grange No. 1200, of Dalton; Grange No. 947, of Edinboro; Grange No. 1124, of Patton; Grange No. 365, of Dushore; Grange No. 806, of Elk Lake; Grange No. 1079, of Erie; Grange No. 304, of Crawford County; Grange No. 625, of Lawsonham; Grange No. 1308, of Washington County; Grange No. 1261, of Nicholson; Grange No. 1351, of Fairview; Grange No. 1088, of Westfield; Grange No. 910, of Venango; and Grange No. 1293, of Parma, all Patrons of Husbandry, in the State of Pennsylvania, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Dr. Alpheus McKibben, of Pittsburg; Dr. E. E. Wible, of Pittsburg; Dr. Thomas T. Kirk, of Pittsburg; Dr. W. Herschel, of Pittsburg; Dr. William H. Mercur, of Pittsburg; Dr. A. J. Hesser, of Pittsburg; Allegheny County Medical Society, of Pittsburg; Dr. William C. Wallace, of Ingram; W. T. Hall, of Tarentum; and of the Center County Medical Society, of Bellefonte, all in the State of Pennsylvania,

praying for the enactment of legislation to create a national department of public health, which were referred to the Committee on Public Health and National Quarantine.

He also presented petitions of Piscataqua Harbor, No. 83, American Association of Masters, Mates, and Pilots, of Portsmouth, N. H.; Casco Harbor, No. 75, American Association of Masters, Mates, and Pilots, of Portland, Me.; Pittsburgh Harbor, No. 25, American Association of Masters, Mates, and Pilots, of Pittsburgh, Pa.; Forest City Harbor, No. 36, American Association of Masters, Mates, and Pilots, of Savannah, Ga.; Crescent City Harbor, No. 18, American Association of Masters, Mates, and Pilots, of New Orleans, La.; Progressive Harbor, No. 9, American Association of Masters, Mates, and Pilots, of Norfolk, Va.; Volunteer Harbor, No. 4, American Association of Masters, Mates, and Pilots, of Boston, Mass.; Mariners' Harbor, No. 3, American Association of Masters, Mates, and Pilots, of Rondout, N. Y.; and of Enterprise Harbor, No. 2, American Association of Masters, Mates, and Pilots, of Camden, N. J., praying for the passage of the so-called "Knox bill" concerning licensed officers of steam and sail vessels, which were referred to the Committee on Commerce.

Mr. KEAN presented a memorial of the New Jersey Chapter, American Institute of Architects, of Jersey City, N. J., remonstrating against the enactment of legislation proposing to place the Lincoln monument near the Union Station in the District of Columbia, and praying that the monument be erected on the site selected by the park commission, which was referred to the Committee on the Library.

Mr. LODGE presented a memorial of the National Board of Trade of the United States, remonstrating against the enactment of legislation providing for the inspection of grain under federal control, which was ordered to lie on the table.

Mr. WARNER presented sundry affidavits to accompany the bill (S. 2540) granting an increase of pension to Charles Muhlbach, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 7938) for the relief of John H. Cole, which were referred to the Committee on Claims.

He also presented sundry affidavits to accompany the bill (S. 7984) granting an increase of pension to Elisha H. Wicker, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 2072) granting an increase of pension to George W. Wade, which were referred to the Committee on Pensions.

He also presented the petition of Emma Schutte, of Oak Ridge, Mo., praying that she be granted a pension, which was referred to the Committee on Pensions.

He also presented the petition of John Pennington, of Cass County, Mo., praying that he be granted a pension, which was referred to the Committee on Pensions.

He also presented the petition of Emerson Hemmerback, of Pemiscot County, Mo., praying that his claim for relief be referred to the Court of Claims, which was referred to the Committee on Claims.

Mr. GUGGENHEIM presented a petition of sundry citizens of the State of Colorado, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Union No. 1668, United Mine Workers of America, of Louisville, Colo., praying that an investigation be made into the conditions of mines operated by the Treadwell Mining Company, on Douglas Island, Alaska, which was referred to the Committee on Mines and Mining.

Mr. DEPEW presented a memorial of members of the Forty-second Annual Encampment, Department of New York, Grand Army of the Republic, of Buffalo, N. Y., remonstrating against the enactment of legislation to abolish certain pension agencies throughout the country, which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Talcottville, Valois, Farmington, Wolcott, and Skaneateles, all in the State of New York, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the New York Board of Trade and Transportation, of New York City, N. Y., praying for the enactment of legislation providing official and domestic domiciles for the diplomatic and other permanent representatives of the United States at the capitals of the principal European countries, which was referred to the Committee on Foreign Relations.

He also presented a petition of members of the Bar Association of New York City, N. Y., praying for the enactment of legislation to increase the salaries of the United States circuit and district court judges, which was ordered to lie on the table.

He also presented a memorial of the New York Produce Ex-

change and of the National Board of Trade of the United States, remonstrating against the enactment of legislation providing for the inspection and grading of grain under federal control, which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. MARTIN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 15448) to amend section 12 of an act entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes," approved February 12, 1901, reported it without amendment and submitted a report (No. 825) thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 12899) to provide for a disbursing officer for the Government Hospital for the Insane (Report No. 826); and

A bill (S. 8520) requiring reports of the Hospital for Foundlings to be made to the Commissioners of the District of Columbia (Report No. 827).

Mr. SCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 6160) to amend section 5 of an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," reported it with amendments and submitted a report (No. 828) thereon.

Mr. SMITH of Maryland, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 113) granting to the Fifth Regiment Maryland National Guard the use of the corridors of the court-house of the District of Columbia upon such terms and conditions as may be prescribed by the marshal of the District, reported it without amendment and submitted a report (No. 829) thereon.

Mr. TAYLOR, from the Committee on Indian Affairs, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 8443) to authorize the Secretary of the Interior to permit the quarrying and sale of tufa stone from the San Carlos Indian Reservation in Arizona, and for other purposes (Report No. 830); and

A bill (S. 7185) authorizing the Secretary of the Interior to issue patent in fee to the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America for the use of the Protestant Episcopal Church of Idaho (Report No. 831).

Mr. FLINT, from the Committee on Public Lands, to whom was referred the bill (S. 8048) to withdraw from settlement and entry certain lands in the State of California, reported it without amendment and submitted a report (No. 832) thereon.

He also, from the same committee, to whom was referred the bill (S. 7876) to withdraw from settlement and entry certain lands in the State of California, submitted an adverse report (No. 833) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. BANKHEAD, from the Committee on Indian Affairs, to whom were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (H. R. 21458) authorizing sales of land within the Coeur d'Alene Indian Reservation to the Northern Idaho Insane Asylum and to the University of Idaho (Report No. 834); and

A bill (S. 8442) to authorize cancellation of Indian allotments covering unsuitable lands and allotment of lands in lieu thereof, and for other purposes (Report No. 835).

Mr. DIXON, from the Committee on Indian Affairs, to whom was referred the bill (S. 8245) to authorize appeals to be taken from the judgments of the Court of Claims to the Supreme Court of the United States in certain cases now pending before the Court of Claims, and for other purposes, reported it with amendments and submitted a report (No. 836) thereon.

#### LAND OFFICE REGISTERS.

Mr. WARREN. On the 21st instant the Senator from Minnesota [Mr. CLAPP] reported, with an amendment, the bill (S. 6986) for the relief of registers and former registers of the United States land offices and submitted a report thereon, the bill being now on the calendar. I move that that bill be recommitted to the Committee on Claims.

The motion was agreed to.

#### BILLS INTRODUCED.

Mr. PLATT introduced a bill (S. 8698) for the purchase of a portrait of the late President Abraham Lincoln, which was read twice by its title and referred to the Committee on the Library.



He also introduced a bill (S. 8699) to amend existing laws and equalize pay for mail service on railroad lines, which was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

Mr. PAGE introduced a bill (S. 8700) granting an increase of pension to Nathan Dodge, which was read twice by its title and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 8701) for the relief of the heirs or estate of Mrs. Ellen Morrissey and of James Morrissey, deceased, and others, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 8702) for the relief of Gen. John R. McGinness, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. BURKETT introduced a bill (S. 8703) to prevent the nullification of State antigambling laws by international or interstate transmission of race-gambling bets or of racing odds, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. DILLINGHAM introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8704) granting an increase of pension to Greenleaf D. Farnum; and

A bill (S. 8705) granting an increase of pension to John H. Rublee.

Mr. STEPHENSON introduced a bill (S. 8706) granting a pension to Maria Sinclair Russell, which was read twice by its title and referred to the Committee on Pensions.

Mr. OVERMAN introduced the following bills, which were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (S. 8707) authorizing the Secretary of War to furnish condemned fieldpiece or cannon to United Daughters of the Confederacy, North Carolina Division; and

A bill (S. 8708) authorizing the Secretary of War to furnish two condemned cannon to Moores Creek Battle Ground Association.

Mr. GALLINGER introduced a bill (S. 8709) for the extension of Franklin street NE., from its present eastern terminus east of Twenty-fourth street to the Bladensburg road, which was read twice by its title and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. KNOX introduced a bill (S. 8710) granting an increase of pension to Emma C. Swift, which was read twice by its title and referred to the Committee on Pensions.

Mr. CLARKE of Arkansas introduced a bill (S. 8711) for the relief of the estate of John Gibson, which was read twice by its title and referred to the Committee on Claims.

Mr. CLAPP introduced a bill (S. 8712) to authorize the Secretary of the Interior to issue patents for town lots in the village of Neah Bay, Wash., which was read twice by its title and referred to the Committee on Indian Affairs.

Mr. FLINT introduced a bill (S. 8713) for the relief of the legal heirs of A. G. Strain, which was read twice by its title and referred to the Committee on Public Lands.

Mr. HALE introduced a bill (S. 8714) granting a pension to Rebecca W. Carroll, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 8715) to amend the internal-revenue laws and to prevent the double taxation of certain distilled spirits, which was read twice by its title and referred to the Committee on Finance.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 8716) for the relief of Mary Cairney;

A bill (S. 8717) for the relief of the estate of Richard W. Meade, deceased;

A bill (S. 8718) providing for the payment to the Pittsburg Brewing Company of moneys unlawfully collected by the Internal Revenue Bureau of the Treasury Department; and

A bill (S. 8719) for the relief of John G. Stauffer & Son.

Mr. PENROSE introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 8720) granting a pension to Rosana Wavell;

A bill (S. 8721) granting an increase of pension to Annie M. Allen;

A bill (S. 8722) granting an increase of pension to James J. Hasson;

A bill (S. 8723) granting an increase of pension to Eliza L. Cake;

A bill (S. 8724) granting an increase of pension to William H. Kough;

A bill (S. 8725) granting a pension to Emma C. Homer;  
A bill (S. 8726) granting a pension to Caroline King; and  
A bill (S. 8727) granting an increase of pension to Alexander G. Wilkins.

Mr. PENROSE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8728) granting an increase of pension to Peter F. Reeser;

A bill (S. 8729) granting an increase of pension to Thomas McCann;

A bill (S. 8730) granting an increase of pension to Samuel S. Jordan;

A bill (S. 8731) granting an increase of pension to James A. Swaney;

A bill (S. 8732) granting an increase of pension to William B. Drake;

A bill (S. 8733) granting a pension to Bridget Petrie; and

A bill (S. 8734) granting an increase of pension to John McGaughey.

Mr. ALDRICH introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8735) granting a pension to Martha L. Brown;

A bill (S. 8736) granting an increase of pension to Vernum H. Dawley;

A bill (S. 8737) granting an increase of pension to George L. Rockwell;

A bill (S. 8738) granting an increase of pension to Arlon T. Follett;

A bill (S. 8739) granting an increase of pension to Michael White;

A bill (S. 8740) granting an increase of pension to Francis S. Shove;

A bill (S. 8741) granting an increase of pension to William C. Aldrich;

A bill (S. 8742) granting an increase of pension to James Watson;

A bill (S. 8743) granting an increase of pension to Albert F. Arnold;

A bill (S. 8744) granting an increase of pension to William Potter; and

A bill (S. 8745) granting an increase of pension to Edwin A. Briggs.

Mr. ALDRICH introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 8746) granting an increase of pension to Henry Bucklin;

A bill (S. 8747) granting an increase of pension to James Buchanan; and

A bill (S. 8748) granting a pension to Julia Walke.

Mr. WARNER introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 8749) for the relief of John H. Hickey;

A bill (S. 8750) for the relief of the heirs of A. O. Hall; and

A bill (S. 8751) for the relief of John R. Adams.

Mr. WARNER introduced a bill (S. 8752) removing disabilities from the military record of Newman Tannison and granting him an honorable discharge, which was read twice by its title and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8753) granting a pension to Caroline McKee;

A bill (S. 8754) granting an increase of pension to David C. Hardy;

A bill (S. 8755) granting an increase of pension to Thomas Farrell;

A bill (S. 8756) granting an increase of pension to John G. Bowers;

A bill (S. 8757) granting an increase of pension to James H. Cowan; and

A bill (S. 8758) granting a pension to Uriah Fosberg.

Mr. WARNER (by request) introduced a bill (S. 8759) granting pensions to the teamsters who served the Government of the United States in the war with Mexico, and for other purposes, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TALIAFERRO introduced a bill (S. 8760) granting a pension to Anne Olive Erwin, which was read twice by its title and referred to the Committee on Pensions.

Mr. BAILEY (by request) introduced a bill (S. 8761) for the relief of Lemuel J. Ward, which was read twice by its title and referred to the Committee on Claims.

Mr. CARTER introduced a bill (S. 8762) providing for the purchase of a painting of Abraham Lincoln, which was read twice by its title and referred to the Committee on the Library.

Mr. DEPEW introduced a bill (S. 8763) granting an increase of pension to William H. Tucker, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 8764) to repeal section 12 of an act entitled "An act to provide for a union railroad station in the District of Columbia, and for other purposes," approved February 28, 1903, and to provide for the location and erection of a substation on the parking at the corner formed by the intersection of the east side of Seventh street and the south side of C street SW., in the city of Washington, D. C., by the Philadelphia, Baltimore and Washington Railroad Company, and to provide for the approval of the same by the Commissioners of the District of Columbia, which was read twice by its title and referred to the Committee on the District of Columbia.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PLATT submitted an amendment proposing to appropriate \$15,000 for improving compressed-air lines at the New York Navy-Yard, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the improvement of the water front at the New York Navy-Yard from \$50,000, to \$76,330, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to increase the appropriation for rent of building in the District of Columbia for the accommodation of the Bureau of Education from \$4,000 to \$6,000, intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

#### IMPROVEMENT OF SOUTH BAY CHANNEL, CALIFORNIA.

Mr. FLINT submitted the following concurrent resolution (S. C. Res. 77), which was referred to the Committee on Commerce:

*Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is hereby authorized to cause preliminary examination and survey to be made of the South Bay Channel, Humboldt Harbor, California, with a view to the removal of obstructions to navigation to and from the wharf at Fields Landing.*

#### USE OF CARRIAGES BY OFFICIALS.

Mr. CULBERSON. I call up the resolution I submitted yesterday.

The VICE-PRESIDENT. If there is no further morning business, the morning business is closed, and the Chair lays before the Senate a resolution coming over from yesterday. Two resolutions have come over. The first is the resolution submitted by the Senator from California [Mr. FLINT]. The resolution will be read.

The Secretary read Senate resolution 257, submitted on the 20th instant by Mr. FLINT, as follows:

*Resolved, That the Committee on Appropriations be, and they are hereby, directed to ascertain and report to the Senate whether any officers of the Government, including the army and navy, are devoting to their personal or private use any carriages, automobiles, or other vehicles which are the property of or are provided by the Government.*

Mr. FLINT. I ask for the adoption of the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### AMERICAN SUGAR REFINING COMPANY.

The VICE-PRESIDENT laid before the Senate Senate resolution 259, submitted yesterday by Mr. CULBERSON, which was read, as follows:

*Resolved, That the Attorney-General be, and he is hereby, directed to send to the Senate copies of all correspondence in the Department of Justice relating to an alleged violation of the act of July 2, 1890, by the American Sugar Refining Company in connection with an alleged loan by that company to one Segal, in which was pledged as security therefor a majority of the capital stock of the Pennsylvania Sugar Refining Company with voting power thereon, and under which it is alleged an agreement was entered into that the Pennsylvania Sugar Refining Company should not engage in business.*

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. KEAN. I move to lay the resolution on the table.

The VICE-PRESIDENT. The Senator from New Jersey moves to lay the resolution on the table.

The motion was not agreed to.

Mr. HEYBURN. I should like to have the resolution stated again.

The Secretary again read the resolution.

Mr. KEAN. May I ask the Senator from Texas if this is not a case that is already in court?

Mr. CULBERSON. This case is not in court by the United States. The United States has taken no action in the matter.

Mr. KEAN. But it is in court at the present time?

Mr. CULBERSON. I think that there is some private litigation pending in the court with reference to the matter, it having been decided on appeal by the United States circuit court for the second circuit that the act of Congress had been violated in this particular case, under the facts stated in the petition.

We want this information, Mr. President, that is in the possession of the Attorney-General, I understand, on a formal complaint by a citizen of Pennsylvania. I ask for the passage of the resolution. I will not take the time of the Senate to explain it, but formal complaint was made quite a while ago to the Attorney-General that the act of Congress had been violated in this case. We want the correspondence, as I am informed it will disclose the position taken by the Department of Justice in the matter.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### HOUSE BILL REFERRED.

H. R. 26709. An act to amend an act to provide for the reorganization of the consular service of the United States was read twice by its title, and referred to the Committee on Foreign Relations.

#### NATIONAL CONSERVATION COMMISSION.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 676), which was read, ordered to be printed, and with the accompanying papers, referred to the Committee on Printing:

*To the Senate and House of Representatives:*

I transmit herewith a report of the National Conservation Commission, together with the accompanying papers. This report, which is the outgrowth of the conference of governors last May, was unanimously approved by the recent joint conference held in this city between the National Conservation Commission and governors of States, state conservation commissions, and conservation committees of great organizations of citizens. It is therefore in a peculiar sense representative of the whole Nation and all its parts.

With the statements and conclusions of this report I heartily concur, and I commend it to the thoughtful consideration both of the Congress and of our people generally. It is one of the most fundamentally important documents ever laid before the American people. It contains the first inventory of its natural resources ever made by any nation. In condensed form it presents a statement of our available capital in material resources, which are the means of progress, and calls attention to the essential conditions upon which the perpetuity, safety, and welfare of this Nation now rest and must always continue to rest. It deserves, and should have, the widest possible distribution among the people.

The facts set forth in this report constitute an imperative call to action. The situation they disclose demands that we, neglecting for a time, if need be, smaller and less vital questions, shall concentrate an effective part of our attention upon the great material foundations of national existence, progress, and prosperity.

This first inventory of natural resources prepared by the National Conservation Commission is undoubtedly but the beginning of a series which will be indispensable for dealing intelligently with what we have. It supplies as close an approximation to the actual facts as it was possible to prepare with the knowledge and time available. The progress of our knowledge of this country will continually lead to more accurate information and better use of the sources of national strength. But we can not defer action until complete accuracy in the estimates can be reached, because before that time many of our resources will be practically gone. It is not necessary that this inventory should be exact in every minute detail. It is essential that it should correctly describe the general situation; and that the present inventory does. As it stands it is an irrefutable proof that the conservation of our resources is the fundamental question before this Nation, and that our first and greatest task is to set our house in order and begin to live within our means.



The first of all considerations is the permanent welfare of our people; and true moral welfare, the highest form of welfare, can not permanently exist save on a firm and lasting foundation of material well-being. In this respect our situation is far from satisfactory. After every possible allowance has been made, and when every hopeful indication has been given its full weight, the facts still give reason for grave concern. It would be unworthy of our history and our intelligence, and disastrous to our future, to shut our eyes to these facts or attempt to laugh them out of court. The people should and will rightly demand that the great fundamental questions shall be given attention by their representatives. I do not advise hasty or ill-considered action on disputed points, but I do urge, where the facts are known, where the public interest is clear, that neither indifference and inertia, nor adverse private interests, shall be allowed to stand in the way of the public good.

The great basic facts are already well known. We know that our population is now adding about one-fifth to its numbers in ten years, and that by the middle of the present century perhaps one hundred and fifty million Americans, and by its end very many millions more, must be fed and clothed from the products of our soil. With the steady growth in population and the still more rapid increase in consumption our people will hereafter make greater and not less demands per capita upon all the natural resources for their livelihood, comfort, and convenience. It is high time to realize that our responsibility to the coming millions is like that of parents to their children, and that in wasting our resources we are wronging our descendants.

We know now that our rivers can and should be made to serve our people effectively in transportation, but that the vast expenditures for our waterways have not resulted in maintaining, much less in promoting, inland navigation. Therefore, let us take immediate steps to ascertain the reasons and to prepare and adopt a comprehensive plan for inland-waterway navigation that will result in giving the people the benefits for which they have paid but which they have not yet received. We know now that our forests are fast disappearing, that less than one-fifth of them are being conserved, and that no good purpose can be met by failing to provide the relatively small sums needed for the protection, use, and improvement of all forests still owned by the Government, and to enact laws to check the wasteful destruction of the forests in private hands. There are differences of opinion as to many public questions; but the American people stand nearly as a unit for waterway development and for forest protection.

We know now that our mineral resources once exhausted are gone forever, and that the needless waste of them costs us hundreds of human lives and nearly \$300,000,000 a year. Therefore, let us undertake without delay the investigations necessary before our people will be in position, through state action or otherwise, to put an end to this huge loss and waste, and conserve both our mineral resources and the lives of the men who take them from the earth.

I desire to make grateful acknowledgment to the men, both in and out of the government service, who have prepared the first inventory of our natural resources. They have made it possible for this nation to take a great step forward. Their work is helping us to see that the greatest questions before us are not partisan questions, but questions upon which men of all parties and all shades of opinion may be united for the common good. Among such questions, on the material side, the conservation of natural resources stands first. It is the bottom round of the ladder on our upward progress toward a condition in which the nation as a whole, and its citizens as individuals, will set national efficiency and the public welfare before personal profit.

The policy of conservation is perhaps the most typical example of the general policies which this Government has made peculiarly its own during the opening years of the present century. The function of our Government is to insure to all its citizens, now and hereafter, their rights to life, liberty, and the pursuit of happiness. If we of this generation destroy the resources from which our children would otherwise derive their livelihood, we reduce the capacity of our land to support a population, and so either degrade the standard of living or deprive the coming generations of their right to life on this continent. If we allow great industrial organizations to exercise unregulated control of the means of production and the necessities of life, we deprive the Americans of to-day and of the future of industrial liberty, a right no less precious and vital than political freedom. Industrial liberty was a fruit of political liberty, and in turn has become one of its chief supports, and exactly as we stand for political democracy so we must stand for industrial democracy.

The rights to life and liberty are fundamental, and like other fundamental necessities, when once acquired, they are little dwelt upon. The right to the pursuit of happiness is the right whose presence or absence is most likely to be felt in daily life. In whatever it has accomplished, or failed to accomplish, the administration which is just drawing to a close has at least seen clearly the fundamental need of freedom of opportunity for every citizen. We have realized that the right of every man to live his own life, provide for his family, and endeavor, according to his abilities, to secure for himself and for them a fair share of the good things of existence, should be subject to one limitation and to no other. The freedom of the individual should be limited only by the present and future rights, interests, and needs of the other individuals who make up the community. We should do all in our power to develop and protect individual liberty, individual initiative, but subject always to the need of preserving and promoting the general good. When necessary, the private right must yield, under due process of law and with proper compensation, to the welfare of the commonwealth. The man who serves the community greatly should be greatly rewarded by the community; as there is great inequality of service so there must be great inequality of reward; but no man and no set of men should be allowed to play the game of competition with loaded dice.

All this is simply good common sense. The underlying principle of conservation has been described as the application of common sense to common problems for the common good. If the description is correct, then conservation is the great fundamental basis for national efficiency. In this stage of the world's history to be fearless, to be just, and to be efficient are the three great requirements of national life. National efficiency is the result of natural resources well handled, of freedom of opportunity for every man, and of the inherent capacity, trained ability, knowledge and will, collectively and individually to use that opportunity.

This administration has achieved some things; it has sought, but has not been able, to achieve others; it has doubtless made mistakes; but all it has done or attempted has been in the single, consistent effort to secure and enlarge the rights and opportunities of the men and women of the United States. We are trying to conserve what is good in our social system, and we are striving toward this end when we endeavor to do away with what is bad. Success may be made too hard for some if it is made too easy for others. The rewards of common industry and thrift may be too small if the rewards for other, and on the whole less valuable, qualities, are made too large, and especially if the rewards for qualities which are really, from the public standpoint, undesirable, are permitted to become too large. Our aim is so far as possible to provide such conditions that there shall be equality of opportunity where there is equality of energy, fidelity, and intelligence; when there is a reasonable equality of opportunity the distribution of rewards will take care of itself.

The unchecked existence of monopoly is incompatible with equality of opportunity. The reason for the exercise of government control over great monopolies is to equalize opportunity. We are fighting against privilege. It was made unlawful for corporations to contribute money for election expenses in order to abridge the power of special privilege at the polls. Railroad-rate control is an attempt to secure an equality of opportunity for all men affected by rail transportation; and that means all of us. The great anthracite coal strike was settled, and the pressing danger of a coal famine averted, because we recognized that the control of a public necessity involves a duty to the people, and that public intervention in the affairs of a public-service corporation is neither to be resented as usurpation nor permitted as a privilege by the corporations, but on the contrary to be accepted as a duty and exercised as a right by the Government in the interest of all the people. The efficiency of the army and the navy has been increased so that our people may follow in peace the great work of making this country a better place for Americans to live in, and our navy was sent round the world for the same ultimate purpose. All the acts taken by the Government during the last seven years, and all the policies now being pursued by the Government, fit in as parts of a consistent whole.

Our public-land policy has for its aim the use of the public land so that it will promote local development by the settlement of home makers; the policy we champion is to serve all the people legitimately and openly, instead of permitting the lands to be converted, illegitimately and under cover, to the private benefit of a few. Our forest policy was established so that we might use the public forests for the permanent public good, instead of merely for temporary private gain. The reclamation act, under which the desert parts of the public domain are converted to

higher uses for the general benefit, was passed so that more Americans might have homes on the land.

These policies were enacted into law and have justified their enactment. Others have failed, so far, to reach the point of action. Among such is the attempt to secure public control of the open range and thus to convert its benefits to the use of the small man, who is the home maker, instead of allowing it to be controlled by a few great cattle and sheep owners.

The enactment of a pure food law was a recognition of the fact that the public welfare outweighs the right to private gain, and that no man may poison the people for his private profit. The employers' liability bill recognized the controlling fact that while the employer usually has at stake no more than his profit, the stake of the employee is a living for himself and his family.

We are building the Panama Canal; and this means that we are engaged in the giant engineering feat of all time. We are striving to add in all ways to the habitability and beauty of our country. We are striving to hold in the public hands the remaining supply of unappropriated coal, for the protection and benefit of all the people. We have taken the first steps toward the conservation of our natural resources, and the betterment of country life, and the improvement of our waterways. We stand for the right of every child to a childhood free from grinding toil, and to an education; for the civic responsibility and decency of every citizen; for prudent foresight in public matters, and for fair play in every relation of our national and economic life. In international matters we apply a system of diplomacy which puts the obligations of international morality on a level with those that govern the actions of an honest gentleman in dealing with his fellow-men. Within our own border we stand for truth and honesty in public and in private life; and we war sternly against wrongdoers of every grade. All these efforts are integral parts of the same attempt, the attempt to enthrone justice and righteousness, to secure freedom of opportunity to all of our citizens, now and hereafter, and to set the ultimate interest of all of us above the temporary interest of any individual, class, or group.

The nation, its government, and its resources exist, first of all, for the American citizen, whatever his creed, race, or birthplace, whether he be rich or poor, educated or ignorant, provided only that he is a good citizen, recognizing his obligations to the nation for the rights and opportunities which he owes to the nation.

The obligations, and not the rights, of citizenship increase in proportion to the increase of a man's wealth or power. The time is coming when a man will be judged, not by what he has succeeded in getting for himself from the common store, but by how well he has done his duty as a citizen, and by what the ordinary citizen has gained in freedom of opportunity because of his service for the common good. The highest value we know is that of the individual citizen, and the highest justice is to give him fair play in the effort to realize the best there is in him.

The tasks this nation has to do are great tasks. They can only be done at all by our citizens acting together, and they can be done best of all by the direct and simple application of homely common sense. The application of common sense to common problems for the common good, under the guidance of the principles upon which this republic was based, and by virtue of which it exists, spells perpetuity for the nation, civil and industrial liberty for its citizens, and freedom of opportunity in the pursuit of happiness for the plain American, for whom this nation was founded, by whom it was preserved, and through whom alone it can be perpetuated. Upon this platform—larger than party differences, higher than class prejudice, broader than any question of profit and loss—there is room for every American who realizes that the common good stands first.

The National Conservation Commission wisely confined its report to the statement of facts and principles, leaving the Executive to recommend the specific steps to which these facts and principles inevitably lead. Accordingly, I call your attention to some of the larger features of the situation disclosed by the report, and to the action thereby clearly demanded for the general good.

#### WATERS.

The report says:

"Within recent months it has been recognized and demanded by the people, through many thousand delegates from all States assembled in convention in different sections of the country, that the waterways should and must be improved promptly and effectively as a means of maintaining national prosperity.

"The first requisite for waterway improvement is the control of the waters in such manner as to reduce floods and regulate the regimen of the navigable rivers. The second requisite is

development of terminals and connections in such manner as to regulate commerce."

Accordingly, I urge that the broad plan for the development of our waterways, recommended by the Inland Waterways Commission, be put in effect without delay. It provides for a comprehensive system of waterway improvement extending to all the uses of the waters and benefits to be derived from their control, including navigation, the development of power, the extension of irrigation, the drainage of swamp and overflow lands, the prevention of soil wash, and the purification of streams for water supply. It proposes to carry out the work by coordinating agencies in the federal departments through the medium of an administrative commission or board, acting in cooperation with the States and other organizations and individual citizens.

The work of waterway development should be undertaken without delay. Meritorious projects in known conformity with the general outlines of any comprehensive plan should proceed at once. The cost of the whole work should be met by direct appropriation if possible, but if necessary by the issue of bonds in small denominations.

It is especially important that the development of water power should be guarded with the utmost care both by the National Government and by the States in order to protect the people against the upgrowth of monopoly and to insure to them a fair share in the benefits which will follow the development of this great asset which belongs to the people and should be controlled by them.

#### FORESTS.

I urge that provision be made for both protection and more rapid development of the national forests. Otherwise, either the increasing use of these forests by the people must be checked or their protection against fire must be dangerously weakened. If we compare the actual fire damage on similar areas on private and national forest lands during the past year, the government fire patrol saved commercial timber worth as much as the total cost of caring for all national forests at the present rate for about ten years.

I especially commend to the Congress the facts presented by the commission as to the relation between forests and stream flow in its bearing upon the importance of the forest lands in national ownership. Without an understanding of this intimate relation the conservation of both these natural resources must largely fail.

The time has fully arrived for recognizing in the law the responsibility to the community, the State, and the nation which rests upon the private owners of private lands. The ownership of forest land is a public trust. The man who would so handle his forest as to cause erosion and to injure stream flow must be not only educated, but he must be controlled.

The report of the National Conservation Commission says:

"Forests in private ownership can not be conserved unless they are protected from fire. We need good fire laws, well enforced. Fire control is impossible without an adequate force of men whose sole duty is fire patrol during the dangerous season."

I hold as first among the tasks before the States and the nation in their respective shares in forest conservation the organization of efficient fire patrols and the enactment of good fire laws on the part of the States.

The report says further:

"Present tax laws prevent reforestation of cut-over land and the perpetuation of existing forests by use. An annual tax upon the land itself, exclusive of the timber, and a tax upon the timber when cut is well adapted to actual conditions of forest investment and is practicable and certain. It is far better that forest land should pay a moderate tax permanently than that it should pay an excessive revenue temporarily and then cease to yield at all."

Second only in importance to good fire laws well enforced is the enactment of tax laws which will permit the perpetuation of existing forests by use.

#### LANDS.

With our increasing population the time is not far distant when the problem of supplying our people with food will become pressing. The possible additions to our arable area are not great, and it will become necessary to obtain much larger crops from the land, as is now done in more densely settled countries. To do this, we need better farm practice and better strains of wheat, corn, and other crop plants, with a reduction in losses from soil erosion and from insects, animals, and other enemies of agriculture. The United States Department of Agriculture is doing excellent work in these directions and it should be liberally supported.



The remaining public lands should be classified and the arable lands disposed of to home makers. In their interest the timber and stone act and the commutation clause of the homestead act should be repealed, and the desert-land law should be modified in accordance with the recommendations of the Public Lands Commission.

The use of the public grazing lands should be regulated in such ways as to improve and conserve their value.

Rights to the surface of the public land should be separated from rights to forests upon it and to minerals beneath it, and these should be subject to separate disposal.

The coal, oil, gas, and phosphate rights still remaining with the Government should be withdrawn from entry and leased under conditions favorable for economic development.

#### MINERALS.

The accompanying reports show that the consumption of nearly all of our mineral products is increasing more rapidly than our population. Our mineral waste is about one-sixth of our product, or nearly \$1,000,000 for each working day in the year. The loss of structural materials through fire is about another million a day. The loss of life in the mines is appalling. The larger part of these losses of life and property can be avoided.

Our mineral resources are limited in quantity and can not be increased or reproduced. With the rapidly increasing rate of consumption the supply will be exhausted while yet the nation is in its infancy, unless better methods are devised or substitutes are found. Further investigation is urgently needed in order to improve methods and to develop and apply substitutes.

It is of the utmost importance that a Bureau of Mines be established in accordance with the pending bill to reduce the loss of life in mines and the waste of mineral resources and to investigate the methods and substitutes for prolonging the duration of our mineral supplies. Both the need and the public demand for such a bureau are rapidly becoming more urgent. It should cooperate with the States in supplying data to serve as a basis for state mine regulations. The establishment of this bureau will mean merely the transfer from other bureaus of work which it is agreed should be transferred and slightly enlarged and reorganized for these purposes.

#### CONCLUSIONS.

The joint conference already mentioned adopted two resolutions to which I call your special attention. The first was intended to promote cooperation between the States and the nation upon all of the great questions here discussed. It is as follows:

"Resolved, That a joint committee be appointed by the chairman, to consist of six members of state conservation commissions and three members of the National Conservation Commission, whose duty it shall be to prepare and present to the state and national commissions, and through them to the governors and the President, a plan for united action by all organizations concerned with the conservation of natural resources. (On motion of Governor Noel, of Mississippi, the chairman and secretary of the conference were added to and constituted a part of this committee.)"

The second resolution of the joint conference to which I refer calls upon the Congress to provide the means for such cooperation. The principle of the community of interest among all our people in the great natural resources runs through the report of the National Conservation Commission and the proceedings of the joint conference. These resources, which form the common basis of our welfare, can be wisely developed, rightly used, and prudently conserved only by the common action of all the people, acting through their representatives in State and nation. Hence the fundamental necessity for cooperation. Without it we shall accomplish but little, and that little badly. The resolution follows:

"We also especially urge on the Congress of the United States the high desirability of maintaining a national commission on the conservation of the resources of the country, empowered to cooperate with state commissions to the end that every sovereign commonwealth and every section of the country may attain the high degree of prosperity and the sureness of perpetuity naturally arising in the abundant resources and the vigor, intelligence, and patriotism of our people."

In this recommendation I most heartily concur, and I urge that an appropriation of at least \$50,000 be made to cover the expenses of the National Conservation Commission for necessary rent, assistance, and traveling expenses. This is a very small sum. I know of no other way in which the appropriation of so small a sum would result in so large a benefit to the whole nation.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 22, 1909.

#### NATIONAL CONSERVATION COMMISSION, Washington, January 11, 1909.

SIR: Herewith I have the honor to place in your hands the report of the National Conservation Commission, created by you June 8, 1908, to inquire into and advise you as to the condition of our natural resources, and to cooperate with other bodies created for similar purposes by the States.

The executive committee designated in your letter creating the commission organized on June 19 and outlined a plan for making an inventory of the natural resources of the United States. On July 1 work was undertaken, accordingly, with the cooperation of the bureaus of the federal departments, authorities of the different States, and representative bodies of the national industries. The results of this cooperative work are herewith submitted as appendices of the commission's report.

The mass of material which constitutes the inventory has been summarized under the direction of the secretaries of the respective sections of the commission so as to assemble the most salient points of the inventory. At the first general meeting of the commission, on December 1, 1908, the summaries of the four sections of the commission were presented and were supplemented by personal statements of the experts in the several bureaus in the executive departments who had immediate charge of the inventory along their special lines of work. After the discussion of the summaries and statements the commission united in the report which is herewith submitted.

In view of the peculiarly valuable contributions and services rendered by the experts of the several departments, the commission at its closing session unanimously adopted the following resolutions:

"Whereas the commission, in the discharge of the duties committed to it, has been greatly aided by the patient labors and the ability and zeal of its secretary and the secretary of each of its four sections, and of the experts in the government service who lent their assistance in the collection of statistical and other data necessary to the elucidation and proper understanding of the subjects dealt with, and to the preparation of its report: Therefore

"Resolved, That the commission hereby makes cordial acknowledgment of its obligation to the gentlemen referred to and tenders them its thanks.

"Resolved further, That the secretary of the commission be directed to transmit to each of those who prepared papers and who appeared before the commission a copy of these resolutions."

In addition, I desire to call your special attention to the spirit and devotion of the gentlemen without whose services the making of the national inventory would have been impossible. Through their great interest in the task intrusted by you to the commission and to them a great part of their work in connection with the inventory was performed outside the official hours. Furthermore, the material which they have prepared presents valuable information in connection with the work of the several executive departments, which otherwise would not have been collected at this time. The assembling of this vast amount of material is largely due to Mr. Henry Gannett, whom you designated for this work, and to whose expert knowledge and power of generalization the commission owes more than it can repay.

In its cooperation "with other bodies created for similar purposes by the States," the National Conservation Commission has had most valuable assistance. Within the first month after the creation of the commission the governors of 5 States had appointed conservation commissions, and an equal number of organizations of national scope had named conservation committees. At the time of the recent joint conservation conference 33 States and Territories had formed conservation commissions. The number has now increased to 36, with indications that nearly all of the remaining States will soon take similar action. The number of national organizations which have appointed conservation committees is 41.

The report herewith submitted was unanimously approved by the joint conservation conference. Further action was taken by the conference in authorizing a joint committee on cooperation, to be composed of 6 members of state conservation commissions and 3 members of the National Conservation Commission, with its chairman and secretary. This committee is to devise ways and means for effective cooperation between all forces working for the conservation of natural resources. By this action the conservation movement enters the field of definite constructive work, for which its labors in ascertaining the country's present status and future outlook were simply preparatory.

Very respectfully,

GIFFORD PINCHOT, Chairman.

The President, The White House.

#### REPORT OF THE NATIONAL CONSERVATION COMMISSION.

The duty of man to man, on which the integrity of nations must rest, is no higher than the duty of each generation to the next; and the obligation of the Nation to each actual citizen is no more sacred than the obligation to the citizen to be, who, in turn, must bear the Nation's duties and responsibilities.

In this country, blessed with natural resources in unsurpassed profusion, the sense of responsibility to the future has been slow to awaken. Beginning without appreciation of the measure or the value of natural resources other than land with water for commercial uses, our forefathers pushed into the wilderness and, through a spirit of enterprise which is the glory of the Nation, developed other great resources. Forests were cleared away as obstacles to the use of the land; iron and coal were discovered and developed, though for years their presence added nothing to the price of the land; and through the use of native woods and metals and fuels, manufacturing grew beyond all precedent, and the country became a power among the nations of the world.

Gradually the timber growing on the ground, and the iron and coal within the ground, came to have a market value and were bought and sold as sources of wealth. Meanwhile, vast holdings of these resources were acquired by those of greater foresight than their neighbors before it was generally realized that they possessed value in themselves; and in this way large interests, assuming monopolistic proportions, grew up, with greater enrichment to their holders than the world had seen before, and with the motive of immediate profit, with no concern for the future or thought of the permanent benefit of country and people, a wasteful and profligate use of the resources began and has continued.

The waters, at first recognized only as aids to commerce in supplying transportation routes, were largely neglected. In time this neglect began to be noticed, and along with it the destruction and approaching exhaustion of the forests. This, in turn, directed attention to the rapid depletion of the coal and iron deposits and the misuse of the land.

The public conscience became awakened. Seeing the increased value and noting the destructive consumption and waste of the natural re-

sources, men began to realize that the permanent welfare of the country as well as the prosperity of their offspring were at stake.

The newly awakened sense of duty found expression in a call by the President upon the governors of the States to meet him in conference, and in the declaration of this conference at its sessions in the White House in May, 1908. The action of the conference led to the appointment of the National Conservation Commission, with authority to collect information and cooperate with similar commissions appointed by the States in the great work of conserving the natural resources of the country.

In the growth of the country and gradual development of the natural resources there have been three noteworthy stages. The first stage was that of individual enterprise for personal and family benefit. It led to the conquest of the wilderness.

The next stage was that of collective enterprise, either for the benefit of communities or for the profit of individuals forming the communities. It led to the development of cities and States, and too often to the growth of great monopolies.

The third stage is the one we are now entering. Within it the enterprise is collective and largely cooperative, and should be directed toward the larger benefit of communities, States, and the people generally.

In the first stage the resources received little thought. In the second they were wastefully used. In the stage which we are entering wise and beneficial uses are essential, and the checking of waste is absolutely demanded.

Although the natural resources are interrelated they are unlike, and each class requires distinct treatment. The land is a fixed quantity which can not be materially increased, though its productivity and availability for the uses of man may be greatly augmented; the forests are variable in quantity and may be destroyed by fire, waste, and improvident use, or protected and improved in such way as to meet human necessities. Together the lands and the forests are improvable resources.

The minerals are limited in quantity and can not be increased or improved by anything which man may do. They are expendable resources.

The fresh waters are limited in quantity, though the supply is permanent. They form a naturally renewable resource which man may do nothing to increase, but may do much in the way of conservation and better utilization.

The treatment applied to each class should be adapted to its own fullest development and best utilization and to those of the other classes of resources.

The waste which most urgently requires checking varies widely in character and amount. The most reprehensible waste is that of destruction, as in forest fires, uncontrolled flow of gas and oil, soil wash, and abandonment of coal in the mines. This is attributable, for the most part, to ignorance, indifference, or false notions of economy, to rectify which is the business of the people collectively.

Nearly as reprehensible is the waste arising from misuse, as in the consumption of fuel in furnaces and engines of low efficiency, the loss of water in floods, the employment of ill-adapted structural materials, the growing of ill-chosen crops, and the perpetuation of inferior stocks of plants and animals, all of which may be remedied.

Reprehensible in less degree is the waste arising from nonuse. Since the utilization of any one resource is necessarily progressive and dependent on social and industrial conditions and the concurrent development of other resources, nonuse is sometimes unavoidable. It becomes reprehensible when it affects the common welfare and entails future injury. Then, it should be rectified in the general interest.

For the prevention of waste the most effective means will be found in the increase and diffusion of knowledge, from which is sure to result an aroused public sentiment demanding prevention. The people have the matter in their own hands. They may prevent or limit the destruction of resources and restrain misuse through the enactment and enforcement of appropriate state and federal laws.

At every stage in the growth of our country, strong men grew stronger through the exercise of nation building, and their intelligence and patriotism grew with their strength. The spirit and vigor of our people are the chief glory of the Republic. Yet even as we have neglected our natural resources, so have we been thoughtless of life and health.

Too long have we overlooked that grandest of our resources, human life. Natural resources are of no avail without men and women to develop them, and only a strong and sound citizenship can make a nation permanently great. We can not too soon enter on the duty of conserving our chief source of strength by the prevention of disease and the prolongation of life.

Waste reduced and resources saved are the first but not the last object of conservation. The material resources have an additional value when their preservation adds to the beauty and habitability of the land. Ours is a pleasant land in which to dwell. To increase its beauty and augment its fitness can not but multiply our pleasure in it and strengthen the bonds of our attachment.

In the conservation of all the resources of the country the interest of the present and all future generations is concerned, and in this great work—involving the welfare of the citizen, the family, the community, the State, and the Nation—our dual system of government, state and federal, should be brought into harmonious cooperation and collaboration.

#### MINERALS.

The mineral production of the United States for 1907 exceeded \$2,000,000,000, and contributed 65 per cent of the total freight traffic of the country. The waste in the extraction and treatment of mineral products during the same year was equivalent to more than \$300,000,000.

The production for 1907 included 395,000,000 tons of bituminous and 85,000,000 tons of anthracite coal, 166,000,000 barrels of petroleum, 45,000,000 tons of high-grade and 11,000,000 tons of low-grade iron ore, 2,500,000 tons of phosphate rock, and 869,000,000 pounds of copper. The values of other mineral products during the same year included clay products, \$162,000,000; stone, \$71,000,000; cement, \$56,000,000; natural gas, \$50,000,000; gold, \$90,000,000; silver, \$37,000,000; lead, \$39,000,000; and zinc, \$26,000,000.

The available and easily accessible supplies of coal in the United States aggregate approximately 1,400,000,000 tons. At the present increasing rate of production this supply will be so depleted as to approach exhaustion before the middle of the next century.

The known supply of high-grade iron ores in the United States approximates 3,840,000,000 tons, which at the present increasing rate of consumption can not be expected to last beyond the middle of the present century. In addition to this, there are assumed to be 59,000,000 tons of lower grade iron ores which are not available for use under existing conditions.

The supply of stone, clay, cement, lime, sand, and salt is ample, while the stock of the precious metals and of copper, lead, zinc,

sulphur, asphalt, graphite, quicksilver, mica, and the rare metals can not well be estimated, but is clearly exhaustible within one to three centuries unless unexpected deposits be found.

The known supply of petroleum is estimated at 15,000,000,000 to 20,000,000,000 barrels, distributed through six separate fields having an aggregate area of 8,900 square miles. The production is rapidly increasing, while the wastes and the loss through misuse are enormous. The supply can not be expected to last beyond the middle of the present century.

The known natural-gas fields aggregate an area of 9,000 square miles, distributed through 22 States. Of the total yield from these fields during 1907, 400,000,000 cubic feet, valued at \$62,000,000, were utilized, while an equal quantity was allowed to escape into the air. The daily waste of natural gas—the most perfect known fuel—is over 1,000,000,000 cubic feet, or enough to supply every city in the United States of over 100,000 population.

Phosphate rock, used for fertilizer, represents the slow accumulation of organic matter during past ages. In most countries it is scrupulously preserved; in this country it is extensively exported, and largely for this reason its production is increasing rapidly. The original supply can not long withstand the increasing demand.

The consumption of nearly all our mineral products is increasing far more rapidly than our population. In many cases the waste is increasing more rapidly than the number of our people. In 1776 but a few dozen pounds of iron were in use by the average family; now our annual consumption is over 1,200 pounds per capita. In 1812 no coal was used; now the consumption is over 5 tons and the waste nearly 3 tons per capita.

While the production of coal is increasing enormously, the waste and loss in mining are diminishing. At the beginning of our mineral development the coal abandoned in the mine was two or three times the amount taken out and used. Now the mine waste averages little more than half the amount saved. The chief waste is in imperfect combustion in furnaces and fire boxes. Steam engines utilize on the average about 8 per cent of the thermal energy of the coal. Internal-combustion engines utilize less than 20 per cent, and in electric lighting far less than 1 per cent of the thermal energy is rendered available.

With increasing industries new mineral resources become available from time to time. Some lignites and other low-grade coals are readily gasified and, through the development of internal-combustion engines, check the consumption of high-grade coals. Peat is becoming important; it is estimated that 14,000,000,000 tons are available in the United States. Its value is enhanced because of distribution through States generally remote from the fields of coal, oil, and natural gas.

The uses of all our mineral resources are interdependent. This is especially true of coal and iron, of which neither can be produced or used without aid from the other, and in the production or reduction of all other minerals both coal and iron are employed. The same standard minerals are necessary to the development of power, of which the use is increasing more rapidly than that of any other commodity.

The building operations of the country now aggregate about \$1,000,000,000 per year. The direct and indirect losses from fire in the United States during 1907 approximated \$450,000,000, or one-half the cost of construction. Of this loss four-fifths, or an average of \$1,000,000 per day, could be prevented, as shown by comparison with the standards of construction and fire losses in the larger European countries.

So far as the ores are taken from the mines and reduced to metals, these resources are capitalized; but after thus being changed to a more valuable form they should be so used as to reduce to a minimum the loss by rust, electrolytic action, and other waste.

There is urgent need for greater safety to the miner. The loss of life through mine accidents is appalling, and preventive measures can not be taken too soon.

The National Government should exercise such control of the mineral fuels and phosphate rocks now in its possession as to check waste and prolong our supply.

While the distribution and quantity of most of our important mineral substances are known in a general way, there is imperative need for further surveys and investigations and for researches concerning the less-known minerals.

#### LANDS.

The total land area of continental United States is 1,900,000,000 acres. Of this but little more than two-fifths is in farms, and less than one-half of the farm area is improved and made a source of crop production. We have nearly 6,000,000 farms. They average 146 acres each. The value of the farms is nearly one-fourth the wealth of the United States. There are more than 300,000,000 acres of public grazing land. The number of persons engaged in agricultural pursuits is more than 10,000,000.

We grow one-fifth of the world's wheat crop, three-fifths of its cotton crop, and four-fifths of its corn crop. We plant nearly 50,000,000 acres of wheat annually, with an average yield of about 14 bushels per acre; 100,000,000 acres of corn, yielding an average of 25 bushels per acre; and 30,000,000 acres of cotton, yielding about 12,000,000 bales.

We had on January 1, 1908, 71,000,000 cattle, worth \$1,250,000,000; 54,000,000 sheep, worth \$211,000,000; and 56,000,000 swine, worth \$339,000,000. The census of 1900 showed \$137,000,000 worth of poultry in this country, which produced in 1899 293,000,000 dozen eggs.

There has been a slight increase in the average yield of our great staple farm products, but neither the increase in acreage nor the yield per acre has kept pace with our increase in population. Within a century we shall probably have to feed three times as many people as now; and the main bulk of our food supply must be grown on our own soil.

The area of cultivated land may possibly be doubled. In addition to the land awaiting the plow, 75,000,000 acres of swamp land can be reclaimed, 40,000,000 acres of desert land irrigated, and millions of acres of brush and wooded land cleared. Our population will increase continuously, but there is a definite limit to the increase of our cultivated acreage. Hence we must greatly increase the yield per acre. The average yield of wheat in the United States is less than 14 bushels per acre, in Germany 28 bushels, and in England 32 bushels. We get 30 bushels of oats per acre, England nearly 45, and Germany more than 47. Our soils are fertile, but our mode of farming neither conserves the soil nor secures full crop returns. Soil fertility need not be diminished, but may be increased. The large yields now obtained from farms in Europe which have been cultivated for a thousand years prove this conclusively. Proper management will double our average yield per acre. The United States can grow the farm products needed by a population more than three times as great as our country now contains.



The greatest unnecessary loss of our soil is preventable erosion. Second only to this is the waste, nonuse, and misuse of fertilizer derived from animals and men.

The losses to farm products due to injurious mammals is estimated at \$130,000,000 annually; the loss through plant diseases reaches several hundred million dollars; and the loss through insects is reckoned at \$659,000,000. The damage by birds is balanced by their beneficent work in destroying noxious insects. Losses due to the elements are large, but no estimate has been made of them. Losses to live stock from these causes are diminishing because of protection and feeding during winter. The annual losses from disease among domestic animals are: Horses, 1.8 per cent; cattle, 2 per cent; sheep, 2.2 per cent; and swine, 5.1 per cent. Most of these farm losses are preventable.

There is a tendency toward consolidation of farm lands. The estimated area of abandoned farms is 16,000 square miles, or about 3 per cent of the improved land. The causes of abandonment differ in different parts of the country. Where most prevalent, it is caused principally by erosion and exhaustion of the soil.

The product of the fisheries of the United States has an annual value of \$57,000,000. Fish culture is carried on by the Nation and the States on an enormous scale. Most of the more important food species are propagated, and several species are maintained in that way. Fish from forest waters furnish \$21,000,000 worth of food yearly, a supply dependent on the preservation of the forests.

Our wild game and fur-bearing animals have been largely exterminated. To prevent their complete extinction, the States and the United States have taken in hand their protection, and their numbers are now increasing. Forest game yields over \$10,000,000 worth of food each year.

With game birds the story is much the same—wanton destruction until the number has been greatly reduced, followed in recent years by wise protection, which in some cases allows the remnant to survive and even to increase.

Each citizen of the United States owns an equal undivided interest in about 375,000,000 acres of public lands, exclusive of Alaska and the insular possessions. Besides this there are about 235,000,000 acres of national forests, national parks, and other lands devoted to public use.

Good business sense demands that a definite land policy be formulated. The National Conservation Commission believes that the following will serve as a basis therefor:

1. Every part of the public lands should be devoted to the use which will best subserve the interests of the whole people.
2. The classification of all public lands is necessary for their administration in the interests of the people.
3. The timber, the minerals, and the surface of the public lands should be disposed of separately.
4. Public lands more valuable for conserving water supply, timber, and natural beauties or wonders than for agriculture should be held for the use of the people from all except mineral entry.
5. Title to the surface of the remaining nonmineral public lands should be granted only to actual home makers.
6. Pending the transfer of title to the remaining public lands they should be administered by the Government and their use should be allowed in a way to prevent or control waste and monopoly.

The present public land laws as a whole do not subserve the best interests of the nation. They should be modified so far as may be required to bring them into conformity with the foregoing outline of policy.

#### FORESTS.

Next to our need of food and water comes our need of timber.

Our industries which subsist wholly or mainly upon wood pay the wages of more than 1,500,000 men and women.

Forests not only grow timber, but they hold the soil and they conserve the streams. They abate the wind and give protection from excessive heat and cold. Woodlands make for the fiber, health, and happiness of the citizen and the nation.

Our forests now cover 550,000,000 acres, or about one-fourth of the United States. The original forests covered not less than 850,000,000 acres.

Forests publicly owned cover one-fourth of the total forest area and contain one-fifth of all our standing timber. Forests privately owned cover three-fourths of the area and contain four-fifths of the standing timber. The timber privately owned is not only four times that publicly owned, but is generally more valuable.

Forestry is now practiced on 70 per cent of the forests publicly owned and on less than 1 per cent of the forests privately owned, or on only 18 per cent of the total area of forests.

The yearly growth of wood in our forests does not average more than 12 cubic feet per acre. This gives a total yearly growth of less than 7,000,000,000 cubic feet.

We have 200,000,000 acres of mature forests, in which yearly growth is balanced by decay: 250,000,000 acres partly cut over or burned over, but restocking naturally with enough young growth to produce a merchantable crop, and 100,000,000 acres cut over and burned over, upon which young growth is lacking or too scanty to make merchantable timber.

We take from our forests yearly, including waste in logging and in manufacture, 23,000,000,000 cubic feet of wood. We use each year 100,000,000 cords of firewood; 40,000,000,000 feet of lumber; more than 1,000,000,000 posts, poles, and fence rails; 118,000,000 hewn ties; 1,500,000,000 staves; over 133,000,000 sets of heading; nearly 500,000,000 barrel hoops; 3,000,000 cords of native pulp wood; 165,000,000 cubic feet of round mine timbers, and 1,250,000 cords of wood for distillation.

Since 1870 forest fires have destroyed a yearly average of 50 lives and \$50,000,000 worth of timber. Not less than 50,000,000 acres of forest is burned over yearly. The young growth destroyed by fire is worth far more than the merchantable timber burned.

One-fourth of the standing timber is lost in logging. The boxing of long-leaf pine for turpentine has destroyed one-fifth of the forests worked. The loss in the mill is from one-third to two-thirds of the timber sawed. The loss of mill product in seasoning and fitting for use is from one-seventh to one-fourth.

Of each 1,000 feet which stood in the forest, an average of only 320 feet of lumber is used.

We take from our forests each year, not counting the loss by fire, three and a half times their yearly growth. We take 40 cubic feet per acre for each 12 cubic feet grown; we take 260 cubic feet per capita, while Germany uses 37 and France 25 cubic feet.

We tax our forests under the general property tax, a method abandoned long ago by every other great nation. Present tax laws prevent reforestation of cut-over land and the perpetuation of existing forests by use.

Great damage is done to standing timber by injurious forest insects. Much of this damage can be prevented at small expense.

To protect our farms from wind and to reforest land best suited for forest growth will require tree planting on an area larger than Pennsylvania, Ohio, and West Virginia combined. Lands so far successfully planted make a total area smaller than Rhode Island; and year by year, through careless cutting and fires, we lower the capacity of existing forests to produce their like again, or else totally destroy them.

In spite of substitutes we shall always need much wood. So far our use of it has steadily increased. The condition of the world's supply of timber makes us already dependent upon what we produce. We send out of our country one and a half times as much timber as we bring in. Except for finishing woods, relatively small in amount, we must grow our own supply or go without. Until we pay for our lumber what it costs to grow it, as well as what it costs to log and saw, the price will continue to rise.

The preservation by use, under the methods of practical forestry, of all public forest lands, either in state or federal ownership, is essential to the permanent public welfare. In many forest States the acquisition of additional forest lands as state forests is necessary to the best interests of the States themselves.

The conservation of our mountain forests, as in the Appalachian system, is a national necessity. These forests are required to aid in the regulation of streams used for navigation and other purposes. The conservation of these forests is impracticable through private enterprise alone, by any State alone, or by the Federal Government alone. Effective and immediate cooperation between these three agencies is essential. Federal ownership of limited protective areas upon important watersheds, effective state fire patrol, and the cooperation of private forest owners are all required.

The true remedy for unwise tax laws lies not in laxity in their application nor in special exemption, but in a change in the method of taxation. An annual tax upon the land itself, exclusive of the value of the timber, and a tax upon the timber when cut, is well adapted to actual conditions of forest investment, and is practicable and certain. It is far better that forest land should pay a moderate tax permanently than that it should pay an excessive revenue temporarily and then cease to pay at all.

Forests in private ownership can not be conserved unless they are protected from fire. We need good fire laws, well enforced. Fire control is impossible without an adequate force of men whose sole duty is fire patrol during the dangerous season.

The conservative use of the forest and of timber by American citizens will not be general until they learn how to practice forestry. Through a vigorous national campaign in education, forestry has taken root in the great body of American citizenship. The basis already exists upon which to build a structure of forest conservation which will endure. This needs the definite commitment of state governments and the Federal Government to their inherent duty of teaching the people how to care for their forests. The final responsibility both for investigative work in forestry and for making its results known rests upon the States and upon the Nation.

By reasonable thrift, we can produce a constant timber supply beyond our present need, and with it conserve the usefulness of our streams for irrigation, water supply, navigation, and power.

Under right management, our forests will yield over four times as much as now. We can reduce waste in the woods and in the mill at least one-third, with present as well as future profit. We can perpetuate the naval stores industry. Preservative treatment will reduce by one-fifth the quantity of timber used in the water or in the ground. We can practically stop forest fires at a cost yearly of one-fifth the value of the merchantable timber burned.

We shall suffer for timber to meet our needs until our forests have had time to grow again. But if we act vigorously, and at once, we shall escape permanent timber scarcity.

#### WATERS.

The sole source of our fresh water is rainfall, including snow. From this source all running, standing, and ground waters are derived. The habitability of the country depends on these waters. Our mean annual rainfall is about 30 inches; the quantity about 215,000,000,000,000 cubic feet per year, equivalent to ten Mississippi rivers.

Of the total rainfall, over half is evaporated; about a third flows into the sea; the remaining sixth is either consumed or absorbed. These portions are sometimes called, respectively, the "fly-off," the "run-off," and the "cut-off." They are partly interchangeable. About a third of the run-off, or a tenth of the entire rainfall, passes through the Mississippi. The run-off is increasing with deforestation and cultivation.

Of the 70,000,000,000,000 cubic feet annually flowing into the sea, less than 1 per cent is restrained and utilized for municipal and community supply; less than 2 per cent (or some 10 per cent of that in the arid and semiarid regions) is used for irrigation; perhaps 5 per cent is used for navigation, and less than 5 per cent for power.

For municipal and community water supply there are protected catchment areas aggregating over 600,000 acres, and over \$250,000,000 are invested in waterworks, with nearly as much more in the appurtenant catchment areas and other lands. The population so supplied approaches 10,000,000, and the annual consumption is about 37,500,000,000 cubic feet. The better managed systems protect the catchment areas by forests and grass; the water is controlled and the storm product used, but there is large waste after the water enters the mains.

For irrigation it is estimated that there are \$200,000,000 invested in dams, ditches, reservoirs, and other works for the partial control of the waters; and that 1,500,000,000,000 cubic feet are annually diverted to irrigable lands, aggregating some 20,000 square miles. Except in some cases through forestry, few catchment areas are controlled, and few reservoirs are large enough to hold the storm waters. The waste in the public and private projects exceeds 60 per cent, while no more than 25 per cent of the water actually available for irrigation of the arid lands is restrained and diverted.

There are in continental United States 282 streams navigated for an aggregate of 26,115 miles, and as much more navigable if improved. There are also 45 canals, aggregating 2,189 miles, besides numerous abandoned canals. Except through forestry in recent years, together with a few reservoirs and canal locks and movable dams, there has been little effort to control headwaters or catchment areas in the interests of navigation, and none of our rivers are navigated to more than a small fraction even of their effective low-water capacity.

The water power now in use is 5,250,000 horsepower; the amount running over government dams and not used is about 1,400,000 horsepower; the amount reasonably available equals or exceeds the entire mechanical power now in use, or enough to operate every mill, drive every spindle, propel every train and boat, and light every city.

town, and village in the country. While the utilization of water power ranks among our most recent and most rapid industrial developments, little effort has been made to control catchment areas or storm waters in any large way for power, though most plants effect local control through reservoirs and other works. Nearly all the freshet and flood water runs to waste, and the low waters which limit the efficiency of power plants are increasing in frequency and duration with the increasing flood run-off.

The practical utility of streams for both navigation and power is measured by the effective low-water stage. The volume carried when the streams rise above this stage is largely wasted and often does serious damage. The direct yearly damage by floods since 1900 has increased steadily from \$45,000,000 to over \$238,000,000. The indirect loss through depreciation of property is great, while a large loss arises in impeded traffic through navigation and terminal transfers.

The freshets are attended by destructive soil erosion. The soil matter annually carried into lower rivers and harbors or into the sea is computed at 780,000,000 tons. Soil wash reduces by 10 or 20 per cent the productivity of upland farms and increases channel cutting and bar building in the rivers. The annual loss to the farms alone is fully \$500,000,000, and large losses follow the fouling of the waters and the diminished navigability of the streams.

Through imperfect control of the running waters lowlands are temporarily or permanently flooded. It is estimated that there are in mainland United States about 75,000,000 acres of overflow and swamp lands requiring drainage; that by systematic operation these can be drained at moderate expense, and that they would then be worth two or three times the present value and cost of drainage, and would furnish homes for 10,000,000 people.

It is estimated that the quantity of fresh water stored in lakes and ponds (including the American portion of the Great Lakes) is about 600,000,000,000,000 cubic feet, equivalent to three years' rainfall or eight years' run-off. Some 6,000,000 of our people draw their water supply from lakes.

A large part of that half of the annual rainfall not evaporated lodges temporarily in the soil and earth. It is estimated that the ground water to the depth of 100 feet averages 16 2/3 per cent of the earth-volume, or over 1,400,000,000,000,000 cubic feet, equivalent to seven years' rainfall or twenty years' run-off. This subsurface reservoir is the essential basis of agriculture and other industries and is the chief natural resource of the country. It sustains forests and all other crops and supplies the perennial springs and streams and wells used by four-fifths of our population and nearly all our domestic animals. Its quantity is diminished by the increased run-off due to deforestation and injudicious farming. Although the volume of the available ground water is subject to control by suitable treatment of the surface, little effort has been made to retain or increase it, and it is probable that fully 10 per cent of this rich resource has been wasted since settlement began. The water of the strata below 100 feet supplies artesian and deep wells, large springs, and thermal and mineral waters. It can be controlled only through the subsurface reservoir.

Of the 35,000,000,000,000 cubic feet of cut-off, the chief share is utilized by natural processes or by agriculture and related industries. On an average the plant tissue of annual growth is three-fourths and of perennial growths three-eighths water; of human and stock food over 80 per cent is water, and in animal tissue the ratio is about the same; and since water is the medium for organic circulation, the plants and animals of the country yearly require an amount many times exceeding their aggregate volume. Even in the more humid sections of the country the productivity of the soil and the possible human population would be materially increased by a greater rainfall, leaving a larger margin for organic and other chemical uses. Except through agriculture and forestry little general effort is made to control the annual cut-off, although some farmers in arid regions claim to double or triple the crop from given soil by supplying water just when needed and withholding it when not required.

Water is like other resources in that its quantity is limited. It differs from such mineral resources as coal and iron, which once used are gone forever, in that the supply is perpetual, and it differs from such resources as soils and forests, which are capable of renewal or improvement, in that it can not be augmented in quantity, though like all other resources it can be better utilized.

It is now recognized by statesmen and experts that navigation is interdependent with other uses of the streams; that each stream is essentially a unit from its source to the sea; and that the benefits of a comprehensive system of waterway improvement will extend to all the people in the several sections and States of the country.

It is also recognized, through the unanimous declaration of the governors of the States and Territories adopted in conference with the leading jurists and statesmen and experts of the country, that in the use of the natural resources the independent States are interdependent, and bound together by ties of mutual benefits, responsibilities, and duties.

It has recently been declared by a majority of our leading statesmen that it is an imperative duty to enter upon a systematic improvement, on a large and comprehensive plan, just to all portions of the country, of the waterways and harbors and great lakes, whose natural adaptability to the increasing traffic of the land is one of the greatest gifts of a benign Providence, while the minority indorsed the movement for control of the waterways still more specifically and in equally emphatic terms.

Within recent months it has been recognized and demanded by the people, through many thousand delegates from all States assembled in convention in different sections of the country, that the waterways should and must be improved promptly and effectively as a means of maintaining national prosperity.

The first requisite for waterway improvement is the control of the waters in such manner as to reduce floods and regulate the regimen of the navigable rivers. The second requisite is development of terminals and connections in such manner as to regulate commerce.

In considering the uses and benefits to be derived from the waters, the paramount use should be water supply; next should follow navigation in humid regions and irrigation in arid regions. The development of power on the navigable and source streams should be coordinated with the primary and secondary uses of the waters. Other things equal, the development of power should be encouraged, not only to reduce the drain on other resources, but because properly designed reservoirs and power plants retard the run-off and so aid in the control of the streams for navigation and other uses.

Broad plans should be adopted providing for a system of waterway improvement extending to all uses of the waters and benefits to be derived from their control, including the clarification of the water and

abatement of floods for the benefit of navigation; the extension of irrigation; the development and application of power; the prevention of soil wash; the purification of streams for water supply; and the drainage and utilization of the waters of swamp and overflow lands.

To promote and perfect these plans, scientific investigations, surveys, and measurements should be continued and extended, especially the more accurate determination of rainfall and evaporation, the investigation and measurement of ground water, the gauging of streams and determination of sediment, and topographic surveys of catchment areas and sites available for control of the waters for navigation and related purposes.

#### NATIONAL EFFICIENCY.

Since the greatest of our national assets is the health and vigor of the American people, our efficiency must depend on national vitality even more than on the resources of the minerals, lands, forests, and waters.

The average length of human life in different countries varies from less than twenty-five to more than fifty years. This span of life is increasing wherever sanitary science and preventive medicine are applied. It may be greatly extended.

Our annual mortality from tuberculosis is about 150,000. Stopping three-fourths of the loss of life from this cause, and from typhoid and other prevalent and preventable diseases, would increase our average length of life over fifteen years.

There are constantly about 3,000,000 persons seriously ill in the United States, of whom 500,000 are consumptives. More than half this illness is preventable.

If we count the value of each life lost at only \$1,700 and reckon the average earning lost by illness as \$700 per year for grown men, we find that the economic gain from mitigation of preventable disease in the United States would exceed \$1,500,000,000 a year. In addition, we would decrease suffering and increase happiness and contentment among the people. This gain, or the lengthening and strengthening of life which it measures, can be secured through medical investigation and practice, school and factory hygiene, restriction of labor by women and children, the education of the people in both public and private hygiene, and through improving the efficiency of our health service, municipal, state, and national. The National Government has now several agencies exercising health functions which only need to be concentrated to become coordinated parts of a greater health service worthy of the Nation.

The inventory of our natural resources made by your commission, with the vigorous aid of all federal agencies concerned, of many States, and of a great number of associated and individual cooperators, furnishes a safe basis for general conclusions as to what we have, what we use and waste, and what may be the possible saving. But for none of the great resources of the farm, the mine, the forest, and the stream do we yet possess knowledge definite or wide enough to insure methods of use which will best conserve them.

In order to conserve a natural resource, we must know what that resource is by taking stock of what we have. We greatly need a more complete inventory of our natural resources; and this can not be made except through the active cooperation of the States with the Nation.

The permanent welfare of the Nation demands that its natural resources be conserved by proper use. To this end the States and the Nation can do much by legislation and example. By far the greater part of these resources is in private hands. Private ownership of natural resources is a public trust; they should be administered in the interests of the people as a whole. The States and Nation should lead rather than follow in the conservative and efficient use of property under their immediate control. But their first duty is to gather and distribute a knowledge of our natural resources and of the means necessary to insure their use and conservation, to impress the body of the people with the great importance of the duty, and to promote the co-operation of all. No agency, state, federal, corporate, or private, can do the work alone.

Finally, the conservation of our resources is an immediate and vital concern. Our welfare depends on conservation. The pressing need is for a general plan under which citizens, States, and Nation may unite in an effort to achieve this great end. The lack of cooperation between the States themselves, between the States and the Nation, and between the agencies of the National Government, is a potent cause of the neglect of conservation among the people. An organization through which all agencies, state, national, municipal, associate, and individuals, may unite in a common effort to conserve the foundations of our prosperity is indispensable to the welfare and progress of the Nation. To that end the immediate creation of a national agency is essential. Many States and associations of citizens have taken action by the appointment of permanent conservation commissions. It remains for the Nation to do likewise, in order that the States and the Nation, associations and individuals, may join in the accomplishment of this great purpose.

Accompanying this report, and transmitted as a part thereof, are detailed statements by the secretaries of the several sections, and many papers and illustrations prepared by experts at the request of your commission.

GIFFORD PINCHOT, *Chairman.*  
W. J. MCGEE,

*Secretary, Section of Waters.*

OVERTON W. PRICE,

*Secretary, Section of Forests.*

GEORGE W. WOODRUFF,

*Secretary, Section of Lands.*

J. A. HOLMES,

*Secretary, Section of Minerals.*

Attest:

THOMAS B. SHIFF,  
*Secretary to the Commission.*

DECEMBER 7, 1908.

#### AFFAIRS IN THE TERRITORIES.

Mr. BEVERIDGE. I submit a conference report and ask that it be printed in the RECORD and also as a document without reading.

The VICE-PRESIDENT. The Senator from Indiana submits a conference report and asks that it be printed in the RECORD and also as a document without reading. Without objection, it is so ordered. (S. Doc. No. 677.)



The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21957) entitled "A bill relating to affairs in the Territories," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, and 45.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 28, 29, 30, and 46, and agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert the following:

"Sec. 11. That no person shall receive a license to practice medicine or surgery, or any of the departments thereof, within the Territory of Alaska until he or she shall have, first, submitted a diploma issued by some legally chartered medical school authorizing the holder thereof to practice medicine or surgery, the requirements for graduation of which medical school shall have been at the time of granting said diploma in no particular less than those prescribed by the Association of American Medical Colleges for that year, or, second, submitted proof of having practiced medicine or surgery, or both, for a period of not less than three successive years continuously prior to the passage of this act and within the jurisdiction of one of the judicial districts of Alaska."

And that the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert the following:

"Sec. 13. That any applicant for license to practice medicine or surgery within the Territory of Alaska not in possession of the credentials specified in section 3 of this act, may obtain a license at the discretion of the clerk of the district court to whom he applies upon furnishing a properly attested statement, to wit: That he or she is a bona fide resident of Alaska, and has been engaged in the practice of medicine exclusively within the Territory of Alaska for a period of not less than three successive years immediately prior to the passage of this act. The application shall be accompanied by the written recommendation of three bona fide residents of the judicial district wherein the applicant desires to practice, one of whom must be a physician holding a license under section 3 of this act, and shall state in a general way applicant's character and professional ability."

And that the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert the following:

"That the act of the legislature of the Territory of Hawaii, entitled 'An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Wailuku, on the island and county of Maui, Territory of Hawaii,' passed by the legislature of the Territory of Hawaii on the twenty-fourth and twenty-fifth days of April, anno Domini nineteen hundred and seven, be, and is hereby, amended, and as so amended is ratified, approved, and confirmed as follows, to wit:

"Act 105.

"An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Wailuku, on the island and county of Maui, Territory of Hawaii.

"Be it enacted by the legislature of the Territory of Hawaii, That H. P. Baldwin, R. A. Wadsworth, J. N. S. Williams, D. C. Lindsay, C. D. Lufkin, James L. Coke, and W. T. Robinson, together with their associates, hereafter called 'The Company,' and their respective successors and assigns, be, and hereby are, vested with the right, authority, and privileges, from and after the passage of this act, to manufacture, sell, furnish, and supply electric light, electric current, or electric power, in the district of Wailuku, on the island of Maui, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which they may deem advisable, and from time to time, for the purposes above mentioned, and subject to the approval and supervision of the boards or officials having charge of said streets or roads, to

construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and such other appliances and appurtenances as may from time to time be necessary for the transmission, distribution, or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district of Wailuku, on the island of Maui, and to connect the said lines, wires, and conductors with any manufactory, private or public buildings, lamps, lamp-posts, or other structure or object with the place of supply.

"Sec. 2. The officials or boards having charge of said streets or roads are hereby authorized to make, and from time to time change, amend, or add to, reasonable rules regulating the placing of poles, wires, the insulation of wires, and apparatus carrying the electric current, and the excavation of conduits, and the maintenance in good repair of all poles, wires, and apparatus, and generally concerning the manufacture and supply of electricity which may be necessary for the public safety and welfare.

"Sec. 3. That all poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and other appliances constructed, maintained, or operated under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district, on the island of Maui, shall be so constructed, maintained, or operated by the company as to not unnecessarily interfere with the use of such streets, sidewalks, roads, squares, bridges, alleys, and lanes by the public.

"Sec. 4. That the entire plant, lines, poles, and other apparatus and equipments shall at all times be subject and open to the inspection of the officials or boards having charge of said streets or roads, or any officer appointed by them for that purpose.

"Sec. 5. That said company, its representatives, successors, and assigns, shall be responsible for any damages, either to person or property, resulting from any act of negligence on its part, which may occur by reason of the exercise of any of the privileges herein granted.

"Sec. 6. It is provided that if the company shall fail or refuse to do or perform or comply with any of the provisions of this act, or of the laws of the Territory of Hawaii, or of the county of Maui, and continues to refuse and fail to perform or comply therewith after reasonable notice given by the superintendent of public works, or any proper county or municipal officer or board, said officer or board may, with the consent of the governor and of the attorney-general, cause proceedings to be instituted before an appropriate tribunal to have the franchise granted hereby, and all rights and privileges accruing thereunder, forfeited and declared null and void.

"Sec. 7. Said company shall also have the right to maintain, use, and operate electric meters or other means of measuring electric light, power, or current supplied from time to time, and to locate the same at such places as may be deemed necessary for their protection; and also to charge, receive, and collect from all customers of electricity such reasonable prices as may be from time to time fixed and determined by the company: *Provided, however*, That power is hereby conferred upon the courts of appropriate jurisdiction at all times and upon the petition of any consumer of the company to hear and determine from time to time whether an existing rate is unreasonable; and if a rate be unreasonable, to order the same to be decreased, and to enforce such orders by appropriate judgment or decree.

"Sec. 8. It is hereby expressly provided that nothing herein contained shall be construed as to grant the company an exclusive right to furnish, sell, or supply electric light and power.

"Sec. 9. The said company shall, within one month after the expiration of each year, file with the superintendent of public works a statement showing the gross receipts from the sale of electric light and power furnished by the company, and shall at the same time pay to the superintendent of public works one per centum of the gross receipts of the company from all electric light or power furnished to consumers during the year preceding.

"Sec. 10. This act shall go into effect and be law from and after the date of its approval by the governor of the Territory of Hawaii, subject, however, to the approval of the Congress of the United States.

"Sec. 11. That Congress, or the legislature of the Territory of Hawaii, with the approval of Congress, may at any time alter, amend, or repeal this act.

"We hereby certify that the foregoing bill, after consideration on the veto of the governor, was, upon a vote taken by ayes and noes, approved by a two-thirds vote of all the elective members of senate of the Territory of Hawaii this twenty-fourth day of April, anno Domini nineteen hundred and seven.

"E. F. BISHOP,  
President of the Senate.  
"WILLIAM SAVIDGE,  
Clerk of the Senate.

"We hereby certify that the foregoing bill, after consideration on the veto of the governor, was, upon a vote taken by ayes and noes, approved by a two-thirds vote of all of the elective members of the house of representatives of the Territory of Hawaii this twenty-fifth day of April, anno Domini nineteen hundred and seven.

"H. L. HOLSTEIN,  
"Speaker.  
"JOHN H. WISE,  
"Clerk."

That the act of the legislature of the Territory of Hawaii entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Lahaina, on the island and county of Maui, Territory of Hawaii," approved by the governor of the Territory of Hawaii on the first of May, anno Domini nineteen hundred and seven, be, and is hereby, amended, and as so amended is ratified, approved, and confirmed as follows, to wit:

"Act 130.

"An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Lahaina, on the island and county of Maui, Territory of Hawaii.

"Be it enacted by the legislature of the Territory of Hawaii, That the Lahaina Ice Company (Limited), as a body corporate, its successors and assigns, hereinafter called "The Company," be, and hereby are, vested with the right, authority, and privilege, from and after the passage of this act, to manufacture, sell, furnish, and supply electric light, electric current, or electric power in the district of Lahaina, on the island of Maui, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which they may deem advisable, and from time to time, for the purposes above mentioned, subject to the approval and supervision of the officials or boards having charge of said streets or roads, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and such other appliances and appurtenances as may from time to time be necessary for the transmission, distribution, or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district of Lahaina, on said island of Maui, and to connect the said lines, wires, and conductors with any manufactory, private or public buildings, lamps, lamp-posts, or other structure or object with the place of supply.

"SEC. 2. The company shall at all times during the existence of said franchise promptly and efficiently supply such electric light and power in said district of Lahaina as may from time to time be required by persons desiring the same, at any point or points: *Provided*, That it shall not be required to build, extend, or maintain any line or branch line for the transmission of such electric light or power beyond a distance of three hundred feet from such extension or major fraction thereof, unless the number of lights or amount of power agreed to be taken for not less than one year shall be reasonably sufficient to warrant the construction of such line or branch line or extension: *Provided further*, That if the company shall be unable to furnish power or light applied for by reason of lack of capacity of the plant or apparatus for producing and transmitting electric current, the company shall be allowed a reasonable time, not exceeding one year from the date of any application, to procure such additional improvements or apparatus as may be necessary to furnish such applicant or applicants.

"SEC. 3. The officials or boards having charge of said streets or roads are hereby authorized to make, and from time to time change, amend, or add to, reasonable rules regulating the placing of poles, wires, the insulation of wires and apparatus carrying the electric current, and the excavation of conduits, and the maintenance in good repair of all poles, wires, and apparatus and generally concerning the manufacture and supply of electricity which may be necessary for the public safety and welfare.

"SEC. 4. That all poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and other appliances constructed, maintained, or operated under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district, on the island of Maui, shall be so constructed, maintained, and operated by the company as to not unnecessarily interfere with the use of such streets, sidewalks, roads, squares, bridges, alleys, and lanes by the public.

"SEC. 5. That the entire plant, lines, poles, and all other apparatus and equipments shall, at all times, be subject and open to the inspection of the officials or boards having charge of said streets or roads, or any officer appointed by them for that purpose.

"SEC. 6. Said company shall also have the right to maintain, use, and operate electric meters or other means of measuring electric light, power, or current supplied from time to time, and to locate the same at such places as may be deemed necessary for their protection; and also to charge, receive, and collect from all customers of electricity such reasonable prices as may be from time to time fixed and determined by the company: *Provided, however*, That power is hereby conferred upon the courts of appropriate jurisdiction at all times and upon the petition of any consumer of the company to hear and determine from time to time whether an existing rate or rates is or are unreasonable; and if a rate be unreasonable, to order the same to be decreased, and to enforce such orders by appropriate judgment or decree.

"SEC. 7. Said company shall also have the right to charge consumers, or applicants for the use of electricity, for one-half of the cost and expense of making connections between the company's nearest line of supply and the premises where the electricity is to be used; such cost and expense to include the price of all wires, poles, insulators, and other materials, and labor necessary to be used in making such connections: *Provided, however*, That the company shall not be required to make, construct, or maintain said connections as aforesaid for supplying light or power unless the applicants therefor, if required, shall deposit in advance with the company a sum of money, sufficient to pay one-half of the total cost and expense of making and constructing such connections and for current for the period of one month.

"SEC. 8. The said company shall have the right to acquire, hold, or take over, either by purchase or lease, property, both real, personal, and mixed, as may be necessary or incidental to the proper conduct of its business; but said company shall not have the right or power to purchase franchises and property of any other company of like nature in said district of Lahaina.

"SEC. 9. Said company, whenever from time to time it shall be deemed expedient in the furtherance of the objects of the company, shall have the power to borrow money and to secure the payment thereof, with the interest agreed upon, by mortgage of any or all of its property, franchises, and privileges granted or obtained by virtue of this act, or, if it is deemed advisable, bonds may be issued, secured by deed of trust of such property, not to exceed sixty per centum of the actual value thereof, with all future acquired property, as well as the income and receipts of the property from whatever source derived and in such form and under such terms as the company shall deem advisable: *Provided*, That nothing in this section contained shall operate to prevent said company from obtaining the usual business credits and to make promissory notes without security.

"SEC. 10. That said company, its representatives, successors, and assigns, shall be responsible for any damages, either to person or property, resulting from any act of negligence on its part, which may occur by reason of the exercise of any of the privileges herein granted.

"SEC. 11. It is provided that if the company shall fail or refuse to do or perform or comply with any of the provisions of this act or of the laws of the Territory of Hawaii, or of the county of Maui, and continues to refuse and fail to perform or comply therewith after reasonable notice given by the superintendent of public works or any proper county or municipal officer or board, said officer or board may, with the consent of the governor and of the attorney-general, cause proceedings to be instituted before an appropriate tribunal to have the franchise granted hereby and all rights and privileges accruing thereunder forfeited and declared null and void.

"SEC. 12. It is hereby expressly provided that nothing herein contained shall be so construed as to grant the company an exclusive right to furnish, sell, or supply electric light and power.

"SEC. 13. The said company shall, within one month after the expiration of each year, file with the superintendent of public works a statement showing the gross receipts from the sale of electric light and power furnished by the company, and shall at the same time pay to the superintendent of public works one per centum of the gross receipts of the company from all electric light or power furnished to consumers during the year preceding.

"SEC. 14. This act shall go into effect and be law from and after the date of its approval by the governor of the Territory of Hawaii, subject, however, to the approval of the Congress of the United States, such approval to be secured within five years from the date of this act becoming law.



"Sec. 15. That Congress, or the legislature of the Territory of Hawaii with the approval of Congress, may at any time alter, amend, or repeal said act.

"Approved this 1st day of May, A. D. 1907.

"G. R. CARTER,  
"Governor of the Territory of Hawaii."

And that the Senate agree to the same.

ALBERT J. BEVERIDGE,  
KNUTE NELSON,  
JAMES P. CLARKE,  
Managers on the part of the Senate.

E. L. HAMILTON,  
A. B. CAPRON,  
JAMES T. LLOYD,  
Managers on the part of the House.

#### CENTENARY OF THE BIRTH OF ABRAHAM LINCOLN.

Mr. WETMORE. I ask unanimous consent to call up the joint resolution (S. R. 117) relating to the celebration of the one hundredth anniversary of the birth of Abraham Lincoln, and making the 12th day of February, 1909, a legal holiday.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Montana [Mr. CARTER]. The Secretary will read it again for the information of the Senate.

The SECRETARY. On page 2, lines 15 and 16, strike out the words "the erection in the city of Washington of a monument" and insert in lieu thereof the words "the construction of a suitable memorial," so that if amended the paragraph will read:

*Be it further resolved,* It is hereby recommended that action be taken looking to the construction of a suitable memorial which shall be worthy his great fame, his service to humanity and to his country, and fittingly commemorate the grandeur of character, the nobility of life, and the epoch-making career of Abraham Lincoln.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KNOX. Mr. President, I withdraw the amendment I offered yesterday and move to strike out the last paragraph of the joint resolution beginning with line 14, page 2, and to substitute in lieu thereof what I send to the desk.

The VICE-PRESIDENT. The Senator from Pennsylvania withdraws his amendment proposed yesterday and offers in lieu thereof an amendment which will be read by the Secretary.

The SECRETARY. Strike out all of the last paragraph of the joint resolution, beginning in line 14, and in lieu thereof insert:

*Be it further resolved,* That with a view to the construction of a suitable memorial to commemorate the public services and character of Abraham Lincoln, which memorial shall include a great national highway, to be called "The Lincoln Way," from Washington to the battlefield of Gettysburg, in the State of Pennsylvania, the sum of \$50,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey for said highway.

Mr. KNOX. Mr. President, I have no apology to make for seeking to add this provision to the joint resolution before the Senate. I want to make whatever measure is passed here mean something and amount to something.

The joint resolution as it was reported from the committee recommends that the 12th day of next February shall be observed as a general holiday. It recommends that public meetings be held and eulogistic speeches uttered commemorative of the life, the character, and the services of the martyred President. But, Mr. President, that is what we have been doing for the memory of Lincoln for the past forty-four years, and I think if the American people ever intend to do anything more than talk about him, there is no more fit occasion than the centennial celebration of his birth to at least take the first step toward doing something more substantial than talk.

Mr. President, I do not regard that the adoption of the amendment I have proposed necessarily commits the people of the United States or the Congress of the United States to any particular form of a memorial to Mr. Lincoln, but I ask simply that the sum of \$50,000, or so much thereof as might be necessary for that purpose, be expended, under the direction of the Secretary of War, to make a survey for a great national highway to be known as the "Lincoln way," which shall be a part of such memorial as Congress shall ultimately adopt for his memory.

It would be perfectly useless for me to undertake to say why this thing should be done. The mere announcement, I think, of the proposition that we should now do something substantial

is as strong an argument as one could put up in its favor. I seriously hope that to the extent at least of this appropriation the Senate will be willing to vote something substantial for the memory of Abraham Lincoln.

Mr. WETMORE. Mr. President, I have but a word to say in regard to this matter.

It seems to me that the joint resolution looking toward the celebration of the one hundredth anniversary of Lincoln's birth this year should pass without delay. The Senator from Montana yesterday offered an amendment which was agreed to to-day which does not commit the Senate or the Congress, if it should be passed, to any particular plan. I should be very sorry to have any complication come up on account of trying to do anything toward a committal.

I may say that there are several propositions in regard to the location of a Lincoln memorial. There is first, and the oldest, the Park Commission plan, which would locate it somewhere on the Potomac River. There is a bill from the House which looks toward a possible location, if proper expert authorities should say that it is a suitable place, between the Capitol and the Union Station. Then there is also a bill introduced by the Senator from Pennsylvania looking toward a great highroad from here to Gettysburg.

I trust that the question of site may not be brought in here to-day, and that the joint resolution may be passed as amended by the amendment of the Senator from Montana, which commits Congress to nothing, but does suggest that the matter be taken up immediately after the action here taken.

Mr. TELLER. Mr. President, the joint resolution as it comes from the committee I believe will meet the approbation of all the Members of this body. I regret myself that the Senator from Pennsylvania has seen fit to complicate it with what may be a doubtful proposition as to the method of recognizing the great abilities of the dead President. He proposes to strike out the resolves, which I understand, as it has been amended, reads—

It is hereby recommended that action be taken looking to the construction of a suitable memorial.

I should think that that is enough to add to the joint resolution. It would be better if we added nothing to a measure of this character and simply made the birthday a holiday in this District and in the Territories, as was contemplated.

For myself I do not believe a public highway between here and Gettysburg would be a proper and suitable recognition of the services of that great man. I am not going to discuss it. It is true the Senator said it does not commit us to it, but if we spend \$50,000 in making an examination, it will be an indication to the people that we propose some such memorial.

Mr. President, I should think, after making Lincoln's birthday a holiday, it would be well to wait for some expression of the people of the country generally as to what is a suitable memorial. For myself, Mr. President, when Senators talk about the old Appian Way, which was built by a tyrant, I do not think it is well for us to make that a precedent for building a road.

Mr. BACON. I desire to state, with the permission of the Senator, that the Appian Way was not built as a memorial to anyone.

Mr. TELLER. No; but it was built by an old tyrant to commemorate his public services, I understand.

Mr. BACON. No.

Mr. TILLMAN. It was built by a censor.

Mr. BACON. I took the liberty of making the suggestion to the Senator, because it was stated on the floor that the Appian Way had been built as a memorial to Appius Claudius. The truth is that Appius Claudius was the man who constructed it, and that is the way it got the name.

Mr. TILLMAN. He began it.

Mr. BACON. He began it, of course, and it was a great highway for military purposes.

Mr. TELLER. It is not of much matter whether it was one way or the other. It is a notable highway and has been for many thousands of years. I do not myself consider the building of a highway to Gettysburg or any other point on the American continent a proper method of recognizing the distinguished services of Abraham Lincoln. I am not prepared to-day to vote for it, and I do not believe any other Member of the Senate except the mover is.

Mr. BURKETT. Mr. President, I think the remarks of the Senator from Colorado [Mr. TELLER] have justified at least a temporary stopping of the attempt to add to the joint resolution what the Senator from Colorado objects to. There is not anyone here who objects to setting aside and commemorating the 12th of February as a special holiday, as the original resolution contemplated. I think the Senator has summed it all up in the statement he made, that no Senator is yet ready to vote on

what is the best sort of a memorial to the memory of Abraham Lincoln.

I think, also, that the chairman of the Committee on the Library [Mr. WETMORE], in the statement that he made a moment ago calling attention to the fact that there have been pending before Congress a good many different propositions for a suitable memorial to the memory of Mr. Lincoln, proved conclusively that we ought not to consider the question here in the morning hour, at a time when Senators can not and ought not to take the necessary time to discuss the relative merits of the different propositions.

Therefore, as I took occasion to state yesterday, I object to attaching to a resolution necessarily sentimental, and one that the entire Senate and Congress is anxious to pass, a proposition that involves at least something of real-estate speculation to a greater or less extent. I think it is unfair to the people whose ideas are different as to an appropriate memorial for us at this time to so far preclude the possibility of any other proposition being presented, so far, even, as the amendment this morning suggests, of appropriating money to begin this particular kind of memorial.

Now, I am very frank to say that I do not know what sort of a memorial we ought to erect to Abraham Lincoln. It has never appealed to me that a road is a very proper thing as a memorial to Mr. Lincoln. It has occurred to me that we could better erect some great public building, peculiarly public and open to the public, containing at all times such things and devoted to such uses as all the people are interested in, and that the great mass of people who are constantly passing through our Capital City would like to visit, where every man when he comes to Washington, and every woman, can see the memorial that Congress has erected to Mr. Lincoln.

It has not occurred to me that the memorial should be a road going from here out to that great battlefield. It is a place to which comparatively few people will travel, and the road will not be greatly used aside from the people who live locally between here and that point. It is not a road even that might be as much used as between here and New York City, as it occurs to me. A very small portion of the people coming to Washington would travel over that road.

Therefore, it seems to me, when we are erecting a memorial to the memory of Abraham Lincoln, we want to get something that will be so big, and perhaps so much in one place, that the American people shall be able to see it when they come. It would be a good deal of an effort and a good deal of expense for the people of this country to see the memorial to Abraham Lincoln if we made it in the form of a road between here and Gettysburg. It would be proper to consider the road proposition, if we were discussing this morning as to what was a suitable memorial and the different propositions were before us. We had laid on our desks this morning a report gotten out by a distinguished man, long in public life, calling attention to the different kinds of such memorials that have been erected in other countries. If all those propositions were before the Senate and could be discussed pro and con and the question of this road brought up for the opinion of the Senate, it would at least be opportune; but to commit ourselves, which this amendment certainly does, here in the morning hour in an ex parte hearing, with only the one proposition before us, it seems to me is unwise. It also seems to me that those who are advocating and are favorable to this proposition ought not to take advantage of the sentiment that surrounds this joint resolution to pass through a proposition which, at the best we can say of it, is doubtful as to whether or not it could receive favorable action if standing alone.

Yesterday morning when I undertook to say a few words in opposition to the precipitate action that was about to be made, I was criticised, perhaps unintentionally, I think, by a Senator for objecting to the consideration of this road to the memory of Abraham Lincoln. As I said then, it was not an objection to the original resolution. No Senator would object to it; but I did object to the Senators who were favoring this particular kind of a memorial taking advantage of just the thing that the Senator called my attention to, the sentiment that surrounds the joint resolution, for the purpose of securing favorable action upon this road plan. My position was that it tended to keep Senators from objecting, from even debating, from opposing a very doubtful proposition by combining it with this very popular resolution.

It appears to me that it is inappropriate for those advocating that proposition, or any particular proposition, to undertake to hitch it onto this joint resolution. We ought to be able to pass this joint resolution to the memory of Lincoln as a tribute to him and his life work, and not have attached to it some proposition for the creating of a great highway that means something

to property owners, that means dollars and cents to people in this city, a thing mixed more or less, if we can believe the newspaper reports, with real-estate transactions, mercenary matters. It seems to me we ought to entirely divorce, I say with all candor, this joint resolution that we are passing for the observance and celebration of this great day from any ulterior object, and we ought not to hook it up with anything that looks to a real-estate transaction. Therefore I hope that the Senate will vote down the amendment.

When I made some objection to the amendment yesterday morning I realized, of course, that a Senator in objecting to that kind of amendment might be misunderstood. I will say to the Senator from Massachusetts [Mr. LODGE], who called my attention to the fact that I could not object to amendments being offered, that I made the statement I did in the hope that the friends of this joint resolution (and I am sure the Senators who are offering this proposed amendment are friends of the joint resolution) might see the propriety of withholding such an amendment.

Mr. SCOTT. Mr. President, it became my very pleasant privilege a few years ago to visit Japan with a party of gentlemen headed by the President-elect, Mr. Taft. In our visit there our attention was called to a road leading from Nikko at one time to Tokyo, about 65 miles. It is now in good preservation for about 45 miles, with immense rows of trees on each side.

The building of the road was brought about in this way: Years ago one of the noted Shoguns of that country died, and his different subjects wanted to show their appreciation of this noted and good man. They contributed gold and silver, brass, bronze, marble, and stone of different kinds to erect to him a suitable monument as a mark of their respect and love. One of the princes was unable to contribute his portion to the erection of the monument, and he, to show his appreciation, set out a row of small trees along the road for the length of 65 miles. Now, hundreds of years afterwards, it is one of the greatest roads in the country. It is one of the show places of Japan, is this great highway bordered on each side with magnificent trees, so large that three of us catching hands could not reach around the trunk of one of them. No visitor is supposed to have properly seen Japan unless he has traveled over this magnificent road. When monuments of marble, brass, stone, and other materials contributed by the wealthy crumble and disappear, this modest contribution of this poor Japanese prince stands and becomes more beautiful each year.

It strikes me, Mr. President, that a road on something of this same line, leading from here to Gettysburg, where Lincoln delivered perhaps the greatest speech he ever made, would certainly be an appropriate memorial to that great man, and would, as does the memorial of the Japanese prince, grow more beautiful each year. If necessary we can here in the District of Columbia, where the highway would commence, build beautiful arches, such as some of us have seen in other countries, where they have been erected to the memory of their great men.

I certainly approve of the amendment which has been offered by the Senator from Pennsylvania.

Mr. CARTER. Mr. President, yesterday morning I offered an amendment to the joint resolution having for its purpose the clearing of the way for free action in the future with reference to a fitting memorial to President Lincoln. It is not my purpose at length this morning to speak of the highway, which I then suggested, as one of the probable forms of expression appropriate to the purpose in view; but since the matter has been discussed this morning it seems proper enough now to say that, notwithstanding what has been said, I adhere to the belief that this great highway, which would be some 46 miles in length, extending from the front door of the White House to the battlefield of Gettysburg, would be a most fitting memorial.

The Senator from Pennsylvania suggested the enduring fame of the Appian Way as illustrating the enduring quality of this kind of monument. The fact that it would possess utility would insure its perpetual existence. The Appian Way, to which the Senator referred, extends across the Pontine Marshes and through the Albano Mountain, in Italy. For the first few miles along that great highway the tombs of the renowned men of Rome were erected long, long ago, including the tombs of the Scipios. Those tombs have crumbled to decay; they constitute but ruins now, with slight marks on the surface here and there to indicate the sites where they stood. Those tombs were undoubtedly constructed in a substantial manner; and, as the people of the day build, in an enduring way; but the tombs have crumbled with the earth upon which they were built. The road, however, continues to be the wonder and admiration of men. The road, like the river, remains forever, while these monuments, made of marble and granite, will crumble and decay, as the tombs of the great Romans have crumbled and decayed.



This highway, extending from the homes of the Presidents to the historic spot, will grow more interesting as the years go by, because, as I suggested yesterday, the forty-odd States of the Union will be permitted to erect suitable monuments along the route. Not a single mile of that road would in twenty-five years from now be without a monument of some kind erected by one or all of the States.

Mr. President, such a memorial can not be regarded as constituting what the Senator from Nebraska [Mr. BURKETT] states, a real-estate speculation, any more than can the erection of a granite monument be regarded as a speculation in granite or granite cutting. That cheap and puerile way of disposing of a great subject does not meet with any sympathy from me.

The suggestion of a fitting memorial was made in the resolution as presented to the Senate in the form of a recommendation that a monument be erected in this Capital City. It seemed but proper at the time to suggest that no monument can be erected in this city of granite and of marble which will not compete with the monument of Washington that can at all measure up to the desire of the American people to fittingly commemorate the distinguished services of Abraham Lincoln.

I do not wish to be understood as pressing at this moment the determination of a question which the Senate is not prepared to decide, but it is not inopportune to decide the question now.

I shall vote for the substitute presented by the Senator from Pennsylvania [Mr. KNOX] as an amendment in the form of a substitute for that particular section or portion of the joint resolution. If that is not adopted, I shall then insist upon the amendment which I have proposed.

Mr. BACON. Mr. President, as I shall vote against the amendment offered by the Senator from Pennsylvania [Mr. KNOX], I desire to state for myself, in order that my vote may not be misunderstood or misconstrued in any way, that I will very cheerfully vote for the joint resolution as favored by the junior Senator from Rhode Island [Mr. WETMORE].

I do not think this is a proper time to determine what shall be the particular memorial or to forestall in any way, by even a partial determination, what may be the ultimate conclusion in regard thereto. I am ready to cooperate with other Senators in the erection of any suitable memorial that Congress may deem to be the proper memorial; but I think at this time it is sufficient to go as far as the resolution goes which is favored by the Senator from Rhode Island.

I thought it was due to myself, Mr. President, in view of the fact that I shall vote in the negative, that I should state this much.

Mr. NEWLANDS. Mr. President, there is much that is captivating in the suggestion of the Senator from Pennsylvania [Mr. KNOX], backed up by the Senator from Montana [Mr. CARTER], regarding the construction of a great highway between Washington and Gettysburg, particularly if that will include, as I have no doubt it will, great monumental structures at each end and monumental structures along the line. The Appian Way has certainly been a most enduring work, and the road in Japan, to which the Senator from West Virginia [Mr. SCOTT] referred, is one of the most attractive things of the kind that I have ever seen, and very fitly memorializes a great event.

It seems to me, however, that we ought not to consider questions of this kind in connection with this resolution. Various propositions are now pending before Congress relating to the form which the Lincoln memorial shall take. There is a suggestion of the park commission regarding the utilization of a part of the Mall for that purpose, and they have presented the outline of a most noble and attractive design. There is a suggestion regarding the erection of a Lincoln memorial between the Capital and the great railway station that has been recently constructed; and there are other suggestions.

I imagine that Congress, under the inspiration of this moment—the centennial of Mr. Lincoln's birth—will proceed actively upon this subject; will appoint a commission of eminent men, of eminent artists, of eminent sculptors, who will make a study of all the various projects and present them to Congress for its consideration. It seems to me that that will be the appropriate time for the consideration of the exact form which this memorial shall take.

It is true that the Senator from Pennsylvania insists that his amendment does not commit Congress to this great highway as a memorial; but it seems to me that it does, for it declares that this memorial shall include this great highway and makes an appropriation of \$50,000 for its survey. It seems to me that the whole movement, by reason of the action which the Senator from Pennsylvania proposes, will have such headway as to make it irresistible in the legislation of the future. I am strongly of the opinion that we ought to in-

trust this great matter, this matter of the highest importance, to the judgment of a commission of distinguished men acting in cooperation with the great artists of the country, and that Congress will not be prepared to act until their plans are formulated and presented.

Mr. DICK. Mr. President, as to the proposition that we shall appropriately celebrate the one hundredth anniversary of the birth of Abraham Lincoln, there seems to be no difference of opinion; but a half hour's debate discloses the fact that there are many views as to the most suitable manner of fixing upon some material memorial in honor of Lincoln. Ample time remains for the discussion of such a memorial; only twenty days remain for the passage of this resolution in the Senate and in the House of Representatives for the issuance of a proclamation by the President, by the governors of the States, and for those arrangements which the people must make in order that appropriate and fitting ceremonies may be held on the 12th day of February.

I do not know whether I would support a roadway proposition or a great memorial building or a monument. I am unprepared as to my action in that matter, and this discussion indicates other Senators are equally uncertain; but as to the other question, which is the real purpose of the resolution, there is universal agreement; and I again urge and repeat that no amendment should be forced into this resolution which will retard its passage here or in the other House, or which will in any way delay the action we must speedily take if the ceremonies which we propose and invite are to be adequate and appropriate on the hundredth anniversary of Lincoln's birth and truly expressive of the high estimate of him and his work by the American people.

Mr. LODGE. Mr. President, the statement of the Senator from Ohio [Mr. DICK] that there are differing views about the memorial to Lincoln is one of the very reasons why I am anxious to have decisive action taken in connection with this joint resolution, which we are sure to pass, and to pass promptly. I do not desire to refuse debate on any of its provisions, but it seems to me now is the time to take some distinct step toward a memorial; to make it clear that we are to have a memorial, and not waste years and years, as we probably should, in deciding what the memorial shall be and making preparations to carry it out. It took something like, I think, a hundred years to complete the Washington Monument. That monument stood there for fifty or sixty years an unfinished shaft, unsightly, discreditable; and it is only very recently that that great monument was finished, nearly—not quite, but nearly—one hundred years after Washington's death.

It seems to me that we are to-day as able as we shall be any other day to decide that among the memorials to Lincoln—I am far from limiting it to a highway—that among the memorials to Lincoln this great highway from the capital city, where his great work was done and where his life was offered up, to the field of Gettysburg, one of the great battlefields of the war, where he delivered his famous speech—one of the noblest utterances that the language can show—it seems to me that we ought now to make provision to include that road among the memorials to Lincoln.

I do not know to what mercenary considerations the Senator from Nebraska [Mr. BURKETT] may have referred. To my mind it is simply a question of taking a substantive step, so that we may be assured that Congress is committed, not only to the building of a road, but to the erection of a suitable monument to the great President here in the city, or also at points on the road or on the Gettysburg battlefield; and I should be very sorry if we should allow this opportunity to pass with a mere general expression in favor of a memorial to Lincoln and the creation of a special holiday.

It is not necessary for me to enlarge on the value and stability of a great highway as a monument, because the Roman roads, not only the Appian Way, which has been referred to, but the Roman roads which stretch all over Europe and which can still be seen in the Alpine passes, are amongst the most enduring monuments to the power and greatness of the Empire of Rome that were ever devised.

The idea of the "Lincoln Way" seems to be a very fine and a very beautiful one; and I am very anxious to have something done now so that we shall not allow our zeal to escape in words. I should like to see the work on the memorial begun, and I do not think there could be a more appropriate time to begin the work and to commit Congress to the policy of Lincoln memorials—not only the road, but a proper monument to Lincoln—than this very year, which is the centennial of his birth.

Mr. HEYBURN. Mr. President, I rise to suggest a necessary amendment to this joint resolution in whatever form it has been presented. There should be inserted in line 14, on page 2, after the word "action," the words "by Congress." That is

made peculiarly necessary by some things which have transpired within the last few days.

This is a joint resolution, but it will have the same effect as legislation by bill. It has been suggested that this does not bind any person. I have before me here the report of the proceedings of a meeting, which was published in the papers yesterday in connection with the appointment of the Commission on Arts, and so forth, which indicates an interpretation of just this class of legislation by the executive department that would make it dangerous, in my judgment, to enact this joint resolution in the language in which it appears. It says:

*Be it further resolved, That we—*

*That is, Congress—*

recommend action—

Recommend action by whom?

Mr. LODGE. Is the Senator reading from the original joint resolution?

Mr. HEYBURN. Yes; and the language in the amendment which I have before me does not change that. That language becomes of special importance in connection with the interpretation of the executive power of the Government as given to us or suggested to us—with what responsibility I am unable to say—by the newspapers of this city yesterday. It is suggested—it is more than suggested, it is asserted—that if Congress recommends action, the executive department of the Government is already clothed with the power to act on the recommendation; they have not the money to spend for the construction of the highway until we appropriate it, but they have some kind of a way of doing things that compels us to appropriate money in order to save the face of the Government.

It is not my purpose to indulge in any severe criticism, or any criticism at all, of anyone; but when a condition confronts us such as that presented by the appointment, said to be official, of a great committee that is to take the place of Congress in fixing the location or the character of public buildings, we would lose sight of our duty were we not to take it into consideration in framing the language of a resolution such as this.

I was not willing to credit or act upon my first impression when I read the language of this resolution and remembered the statement contained in the newspaper as to the interpretation placed upon it, but it kept coming back to me that there was a connection between the two things; that if we, in the language of this resolution, recommend action, it will be interpreted to mean action by the executive department of the Government, unless we limit it.

Mr. KNOX. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. HEYBURN. Certainly.

Mr. KNOX. I want to call the attention of the Senator from Idaho to the fact that under the amendment I proposed there is no direction at all that action shall be taken.

Mr. HEYBURN. I noted that. It is a limitation.

Mr. KNOX. I carefully avoided the word "direction."

Mr. HEYBURN. I took notice of that. The amendment offered by the Senator from Pennsylvania is to some extent a limitation upon this great committee, whose names I have before me, and the prophecy of their work contained in the newspaper statement. But I would call the attention of the Senator from Pennsylvania to the language of his amendment, providing that—

This memorial shall be in the nature of a great national highway from the city of Washington to Gettysburg, Pa.

Suppose that under this new doctrine—and I have no hesitation in stating it to be a new doctrine—the Executive can, upon his own motion, take his own method of making effective the recommendation of Congress, he might, without waiting for further legislation, enter upon this great work to the extent of making plans.

Mr. KNOX. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. HEYBURN. Certainly.

Mr. KNOX. I very carefully sought to avoid the objection the Senator from Idaho is now urging to the language of the resolution in its original form, because I had the benefit yesterday afternoon of privately hearing his views upon that subject. It is not possible, I think, to read the amendment that I propose and get anything out of it more than this: With this view—Congress having in contemplation the advisability and desirability of constructing a suitable memorial to Mr. Lincoln which should contain as a part of its plan a highway, to be called the "Lincoln way"—the sum of \$50,000 is appropriated, to be expended under the direction of the Secretary of War—for what? For the mere purpose of making a survey.

Mr. HEYBURN. May I interrupt the Senator a moment?

Mr. KNOX. Just permit me to close what I was saying. It will take me only a moment.

Mr. HEYBURN. Yes.

Mr. KNOX. It is obvious that, if the ultimate judgment of Congress is that this work is to be consummated, this peculiar form of memorial would require a very great deal of preliminary work in the way of a survey, and it is only for that purpose that the appropriation is sought to be made.

Mr. HEYBURN. Before the Senator takes his seat, Mr. President, I wish to say that I do not find in the CONGRESSIONAL RECORD the amendment to which the Senator has just referred, but I do find the other amendment of the Senator stated at the bottom of page 1224.

Mr. KNOX. I withdrew that and offered this new amendment.

Mr. HEYBURN. Then, it should have been also in the RECORD.

Mr. KNOX. It was only offered this morning.

Mr. HEYBURN. Then, Mr. President, I will only say that while I approve of the proposition suggested by the amendment offered by the Senator from Pennsylvania, still the necessity for the amendment I have suggested to the resolution is not obviated, because I insist that the recommendation here should be to Congress in terms which would limit it so that it could not be construed as a recommendation to the Executive.

Mr. KNOX. This amendment of mine does not contain the word "recommendation" at all. It simply appropriates the sum of \$50,000 for the purpose of making a survey.

Mr. HEYBURN. Is it intended as a substitute for the last paragraph of the joint resolution?

Mr. KNOX. Yes, sir; a complete and entire substitute.

Mr. HEYBURN. I thought the Senator intended yesterday to cover the same ground, and I was surprised not to find it in the RECORD. It may have been our personal conversation that I confused with the Senator's remarks on the floor.

Mr. KNOX. If the Senator will permit me, I will put him exactly right. This morning I offered an amendment to the joint resolution as it was reported to the Senate from the committee, which amendment consisted in striking out from the original resolution all beginning on line 14 down to the end and substituting in its place what I handed the Senator. So the Senator will see that all that part of the joint resolution has gone out.

Mr. HEYBURN. Then that overcomes my objection to the Senator's amendment, and I shall cheerfully support it; but unless that limitation is in the resolution when it finally is adopted, it will be readily seen that our recommendation would be to the executive department, and not to Congress. I think that is important.

Mr. NEWLANDS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. Certainly.

Mr. NEWLANDS. Mr. President, I understand the Senator from Idaho objects to the form of this resolution as reported by the committee, and also to the amendment of the Senator from Pennsylvania, upon the ground—

Mr. HEYBURN. No; I withdrew my objection to the form of the amendment offered by the Senator from Pennsylvania since my attention has been directed to it as formulated.

Mr. NEWLANDS. Very well. Then I understand that the Senator objects to the language of the resolution upon the ground that the recommendation as to the action may be regarded by the President as an authority to him to take action, with the aid of the council of arts, which he recently appointed.

Mr. HEYBURN. Yes; that I clearly stated.

Mr. NEWLANDS. Now, let me suggest to the Senator from Idaho that that can be easily met by inserting after the words "action be taken" the words "by the proper committee of Congress," for that is doubtless the intention of this joint resolution. This is a mere joint resolution expressing the sense of Congress that legislative action should be taken.

Mr. HEYBURN. I would not be inclined to differ with the Senator from Nevada in regard to that, because it would accomplish just the purpose I had in view in objecting to the existing language. But the motion will first recur on the amendment of the Senator from Pennsylvania, and that question may not arise if we adopt the amendment. If we do not, then it will arise.

Mr. NEWLANDS. I wish to say one word further regarding the suggestion of the Senator from Idaho, to wit, that the President of the United States would regard this as an authorization to take action. My understanding of the order made by



the President of the United States is that the council of arts, which he recently created, is simply advisory to the various departments of the Government in matters relating to art. I do not apprehend for a moment that the President of the United States would take upon himself to act in contravention of an act of Congress, and wherever an act of Congress did give to a particular bureau or a particular board or a particular commission power to make and perfect plans, I imagine that this council of arts would have no function.

Mr. HEYBURN. Mr. President, I should like at that point to interrupt the Senator, although he is speaking in my time. I should not like to have it understood that I thought that the President was likely to disregard the expressed will of Congress at any time. I think my language would not justify such a construction. I was referring to this particular joint resolution, and I was speaking of the published statement as to the views of the executive department of the Government in regard to how it might be carried into effect. Of course I would not for a moment suggest that the President or any other executive officer would disregard the express wish of Congress.

Mr. NEWLANDS. I did not misunderstand the Senator from Idaho, nor do I wish to enter into a discussion about the council of arts that is now engaging so much attention in the newspapers. I simply wish to say one word, without any personal knowledge of the President's views. I assume that this council of arts is simply an advisory one to the executive departments. The President is charged with the execution of the laws, and it is within his province to call in the aid of experts in architecture, sculpture, and painting to advise regarding the execution of important matters involving these arts.

There seems to be very general misconception of his action upon this subject. I imagine that wherever the Congress itself prescribes that the duty shall be performed by some board or commission, that method of action will be taken.

I wish to say that I am in absolute harmony with the view of the American Institute of Architects upon this subject, an institution that embraces almost all the distinguished artists in the country; not simply architects, but sculptors and painters. I am entirely in sympathy with their view that great public works which relate in any degree to art should be subject to the careful inspection and criticism and suggestions of this great body of experts. I am very sorry that any contrary impression may have been produced in the country regarding the action of the President, for I fear that it may affect the action of Congress itself upon this most important question. It is very desirable that Congress should act, and should act in the near future, and I assume that the President's action is simply an outline or suggestion, within the limits of his executive powers, of what he thinks ought to be the action of Congress in a broader and more enduring form.

Mr. HEYBURN. Mr. President, I was proceeding to say that I did not intend to express an opinion upon the question of the President's action in appointing this committee, because Congress at all times has it within its power to specify the manner in which its purposes shall be carried out, and I do not know whether or not the President should have appointed this commission. I am willing to accept his wisdom as an answer. It will be time enough for Congress to question it when the question of appropriating money to compensate them comes before it. The President is entitled to call into his councils any or all of the citizens of the country who are willing to come upon his invitation to advise with him upon any question. He is the executive officer of the Government. He had no power, until Congress gave it to him, except as it was expressed in the Constitution of the United States. He is the designated officer to execute the will of the people as it is enacted by Congress. That is all.

I do not want to be subject to being quoted as having made an attack upon the President for calling to his assistance in council a number of gentlemen whom he deems qualified to advise him. But I mentioned it merely because it was a part of and coupled with the expressions purporting to have come from the President himself as to when his power commenced under circumstances such as will arise out of the passage of this joint resolution; and inasmuch as the amendment before the Senate excludes the necessity of further consideration of the limitations I propose, I will wait until that is passed upon.

Mr. BEVERIDGE. Mr. President, so far as my own vote is concerned, the amendment of the Senator from Pennsylvania [Mr. KNOX] presents a conjunction both of duty and the hour. Within a few days will occur the one hundredth anniversary of the birth of one of the most exalted patriots and wisest statesmen of all time, and altogether the greatest humanist that ever lived, except the divine figure whose life and teachings the character of Abraham Lincoln so well illustrated.

Within a few days one hundred years shall have passed away since that man who, save one, the American people are proudest of, was born. It appears to be the very article of fate that a proposition should now be made to act definitely for some memorial which shall be as enduring as his fame.

The amendment of the committee does nothing. It is as vague as words can make it. It merely declares our intention some time or other to do something or other; but the time is not designated, the purpose is not stated, the object itself is not described. It might as well have said: "Let us postpone this large design to a more convenient season"—a season that never will arrive. What more appropriate season than the present hour? The proposition that it shall be referred to a commission of eminent gentlemen throws no light upon the situation.

This country and the world have been erecting memorials to their great and their loved ones from the beginning of time. All the devices are exhausted. We have the Grant memorial in New York. We have, to the Father of his Country, that noble shaft rising by the Potomac's waters. No possible monument we could erect to Lincoln would be anything more than a duplication in some form of what already has been done many times in this Republic for other patriots and statesmen. The whole field has been canvassed and exhausted. But the amendment of the Senator from Pennsylvania proposes a memorial unique, peculiarly American, and as everlasting as the continent itself.

So, Mr. President, it appears to me that if we are to act, now is the time designated by events themselves. The amendment of the Senator from Pennsylvania appears to me to be the decree written by the wisdom of history and dates. I can conceive of nothing nobler for a perpetual memorial to Abraham Lincoln than to build this highway from the city where his greatest hours were lived to the spot where his noblest words were spoken—an utterance, Mr. President, which stands alone in the history of human speech as the tenderest and loftiest expression of merely human wisdom and heart; for the speech of Lincoln at Gettysburg, concluding the most meaningful epoch of this country's history, is with one exception only the loftiest utterance that ever fell from purely human lips. Here in this city his life and services culminated. At Gettysburg, because of the mighty struggle there, his eloquence, his wisdom, and his prophetic foresight had in those immortal words that there fell from his lips their ripest fruit.

If we are going to do anything, now is the time. If we are going to do anything that shall be anything more than a duplication of what has been done all over this country for other men, this is the largest and the noblest project. So far as my vote is concerned, I shall cast it not only gladly, but with a sense of duty, for the amendment of the Senator from Pennsylvania.

I know it has been said—

Mr. BURKETT. I should like to ask the Senator from Indiana a question.

Mr. BEVERIDGE. Certainly.

Mr. BURKETT. The Senator takes the position that there should be some action. I have prepared a proposed amendment, or a substitute, providing that the Committee on the Library be directed at the next regular session of Congress to report some appropriate legislation for a suitable memorial, or memorials, following out the words of the joint resolution. In short, leaving the matter open to the committee for further consideration. Different forms of memorials may come up. This, as I understand, commits us to this one single proposition, without any consideration of any other proposition. I will ask the Senator if, in his judgment, the amendment I have suggested would not be better?

I am in favor of the proposition the Senator suggests, that action should be taken. I think we all want a memorial. I do not think there is any doubt about that. But I think it is unwise to commit ourselves to any particular proposition without any consideration of the others and precluding all others.

Mr. BEVERIDGE. The suggestion of the Senator from Nebraska is fraught with a kind of cautious wisdom, which I freely admit; but for myself, I shall vote for the amendment of the Senator from Pennsylvania, for the precise reason pointed out by the Senator from Nebraska why we should not adopt it, to wit, that it does commit us to something definite. It commits us to something splendid and to something that has no example from ocean to ocean.

I was about to say, when the Senator made his fruitful suggestion, the wisdom of which I admit—

Mr. BURKETT. May I ask the Senator another question? This commits us to one particular proposition. We do not know how much it will cost.

Mr. BEVERIDGE. Personally, I want to be committed, so far as my vote is concerned. I am merely explaining my vote.

Mr. BURKETT. We are committing ourselves to a proposition that has not been investigated. We do not know how much it will cost. We do not know what is the engineering proposition involved. We do not know the practicability of it in a good many ways. We do not know in advance of undertaking to get titles what advantages may be taken by private parties. In short, the preliminaries have not been attended to before we commit ourselves to the proposition. Does not the Senator think it would be a little better—

Mr. CARTER. Mr. President—

Mr. BEVERIDGE. I want to answer that, if the Senator from Montana does not mind.

Mr. CARTER. I desire to make a suggestion, based upon the wording of the amendment of the Senator from Pennsylvania. It will be observed by examining the amendment that it does not contemplate embracing the entire Lincoln memorial or monument in a road, but it does provide that this memorial shall include a national highway, to be called the "Lincoln highway," from this city to the Gettysburg battlefield. I think it would be well to consider that.

Mr. BEVERIDGE. No. For my own vote I admit the technical parliamentary wisdom of what the Senator from Nebraska has said; but, on a question like this, the Senator's point does not influence my mind. I do not think this is a question for the splitting of hairs about dollars. I regard the amendment of the Senator from Pennsylvania not as the Senator himself does. I regard it as a committal. It is a time to act.

Further answering the Senator from Nebraska, I concede that we do not know how much it will cost. But this is a matter of sentiment, and while we live in a day in which sentiment is undervalued, yet, on second thought, we all know it was sentiment—something that you could not measure by the yardstick, that you could not weigh, see, feel, touch, hear, or discern by any of the physical senses—that brought Lincoln to the exalted position he occupied and sent a million men singing and happy to battle and to death.

As I understand the American people—and I think I fairly well understand them—sentiment, which is the thing that after all makes our individual lives worth living, which is the only thing for which men are willing to die, for which the Nation is willing to go to war, is not a thing with respect to which the American people are going to count the cost.

So in this movement, which is to enshrine not only the memory of Lincoln so much as the feeling of the American people upon a great and eternal national question as well as the character of the American people he best typified, the question of dollars can not be intruded.

Also I have thought myself of what the Senator from Nebraska prudently called attention to. Real estate dealers might take possible advantage of any proposed legislation. Of course that has occurred to every intelligent man. But, Mr. President, "it must needs be that offenses come." It is possible there shall be a man base enough to speculate and prostitute this great enterprise, so far as he is concerned, to low commercial purposes. But we, legislating for the American Republic, can not let that halt us, if the other be our duty. It has been suggested to me in private conversation what I think is in the minds of many Senators who are opposing this joint resolution, that we are building into another State, at the national expense, a great and historic highway, which shall be forever thronged by travelers from all over the Republic. That is quite true. But this subject is so high that you can not, when you stand upon it, see state lines. This is a national project. If you erect a memorial in any place but in the District of Columbia it would have to be erected in a State. So, with all deference for the gentlemen who hold these views, I think this proposition is so majestic that the objections of the advantage of a State or the possible speculations of real estate dealers, can not be discerned upon its mighty surface.

So far as I am concerned, Mr. President, I shall vote for this amendment. I would have been glad to think that it was an inspiration of the Senator from Pennsylvania. Things like this instantly struck from the brain of a man who is in earnest constitute greatness. But that is not true. An even greater thing is true of the Senator's proposition. He is here voicing in this resolution the thought which has been growing in the minds of the people for decades. And to sense and utter a people's purpose is, as Emerson declares, the highest test of statesmanship. And now, let us hope, as the hundredth anniversary of Lincoln approaches, the people's purpose will find in the amendment of the Senator from Pennsylvania its fruition.

Mr. RAYNER. Mr. President, I hope that the suggestion of the Senator from Pennsylvania [Mr. Knox] will be adopted. I believe in the construction of this great memorial from Washington to Gettysburg. Here in Washington this remarkable

man, whose services it is to commemorate, dedicated his life to his country. At Gettysburg he delivered that imperishable address, which will speak to the undying ages when the orations of antiquity and the contributions to the classic oratory of Great Britain are forgotten. The few words he spoke at Gettysburg are still ringing through the land, and they will reecho at the fireside of future generations so long as the Republic lasts. This oration may have been crude and unadorned, but it will outlive the orations of Pitt and of Burke and of Erskine, and every pilgrim and traveler upon this road will be thrilled with a memory of that immortal production.

I did not accept his political views when living. I honor him dead. He occupies an isolated spot high up in the temple of his country's glory. He was never properly appreciated when he was living. Now his resurrected spirit hovers over the institutions of this country as an inspiration to every patriot who can emulate him.

Therefore, Mr. President, if we want in a practical way, in a way that will survive when monuments shall crumble to the earth, to stamp the memory of this great character upon the very face of this Republic so that it never shall be forgotten, as it never ought to be, in my judgment, this is the manner and the method of its execution.

Mr. ALDRICH. Mr. President, there can be no difference of opinion in the Senate, I think, as to the desirability of erecting a memorial or memorials to Mr. Lincoln suitable to the character of the man, which I think is the grandest in American history, and worthy of this great Nation. But what form the memorial or memorials shall take is a question which should be entered upon with deliberation.

I suggest to the Senator from Pennsylvania that he modify his amendment so as to include memorials and an inquiry into suitable memorials, and to modify it by striking out the word "shall" and inserting the word "may," so that the whole question of suitable memorials shall be before Congress, and that the appropriation of \$50,000 shall be made for the survey of the highway, which may become, in the judgment of Congress, a part of the memorials to be constructed in honor of President Lincoln. I think, if the Senator will accept the amendments, there can be no objection to the adoption of the joint resolution.

Mr. KNOX. Mr. President, to the substitution of the plural for the singular in the amendment, making it "memorials" instead of "memorial," I see no objection, because it is contemplated that the memorial may take a different form. If I thought there was any danger of the resolution not passing with the word "shall" in it, I should, of course, be very glad to have the word "may" inserted; and voting as I intend to vote, with the idea that it is time for Congress to make an expression as to some form, and believing that it will meet the approval of the American people to have an expression now, I am willing to accept the suggestion made by the Senator from Rhode Island.

The VICE-PRESIDENT. The Senator from Pennsylvania modifies his amendment, as will be stated.

The SECRETARY. It is proposed to strike out "memorial" and insert "memorials."

Mr. GALLINGER. So as to read—

The SECRETARY. So as to read:

That with a view to the construction of suitable memorials to commemorate the public services and character of Abraham Lincoln, which memorials shall include a great national highway, to be called "The Lincoln Way"—

Mr. GALLINGER. "May."

Mr. BURKETT. May we have the amendment read as it will read if amended, Mr. President?

The VICE-PRESIDENT. The amendment will be read as it will read if amended.

The Secretary read as follows:

Be it further resolved, That with a view to the construction of suitable memorials to commemorate the public services and character of Abraham Lincoln, which memorials may include a great national highway, to be called "The Lincoln Way," from Washington to the battlefield of Gettysburg, in the State of Pennsylvania, the sum of \$50,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey for said highway.

Mr. BEVERIDGE. Mr. President, I was hoping that the Senator from Pennsylvania would not accept the amendment. As an ardent supporter of his amendment, I sincerely hope he will not agree to change "shall" to "may."

Mr. KNOX. Mr. President, I was going to say to the Senator from Indiana that I do not feel I ought to take the responsibility of accepting the amendment, under the peculiar circumstances which surround the joint resolution, and particularly having reference to the time when the joint resolution is pre-



sented to us. I therefore will withdraw my consent to have the word "may" substituted for the word "shall," leaving it to the Senate to determine.

Mr. ALDRICH. Then I move that the word "shall" be stricken out and the word "may" inserted.

The VICE-PRESIDENT. The Senator from Rhode Island proposes an amendment to the amendment, which will be stated.

The SECRETARY. In the amendment of the Senator from Pennsylvania strike out the word "shall" and insert the word "may."

Mr. ALDRICH. There is no information before the Senate as to how much this road will cost and there has been no consideration of it, so far as I know, by any committee of the Senate. To my knowledge there has been no consideration of it. It seems to me that Congress ought not to be irrevocably bound to a proposition of this kind without some consideration or some examination.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BURKETT. I desire to perfect further the amendment offered by the Senator from Pennsylvania by adding what I send to the desk.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add at the end of the amendment the following proviso:

*Provided, That the States of Maryland and Pennsylvania shall donate to the Government of the United States the right of way for said "Lincoln Way" within their respective States.*

Mr. RAYNER. Mr. President, I do not object to that at all, but it comes in in a very crude way. I think the resolution now reads "may." The resolution does not direct the Government, and it might not do it at all. It says the Government may do it. I do not think the amendment to the amendment, therefore, has a proper place in the resolution.

Mr. BURKETT. I have not any objections as to the place where it goes in. In fact, I did not suggest that it should go in at the end. If the Senator can suggest a better place, very well.

Mr. RAYNER. I want to say to the Senator from Nebraska that the cost of this road, I think, has been vastly exaggerated. We know the distance from here to Gettysburg, and it is not such an enormous sum of money that I think we need to couple with the resolution a provision of this sort. I shall not object to it, but I think it is entirely out of place.

Mr. KNOX. I do object to it, Mr. President. I object to putting the Senate of the United States in the position of saying that we are willing to build a memorial to Abraham Lincoln if the States of Maryland and Pennsylvania shall pay for it.

Mr. RAYNER. The people bordering on the road, I assure the Senator, will be very glad to give the land.

Mr. TILLMAN. I suggest to the Senator from Nebraska that until we take some substantive action in the way of the making of an appropriation and ordering this highway, it is not worth while to limit this action by any proviso of that description. It will come in appropriately later on. For the survey of a road 46 miles it looks to me like a pretty exorbitant price; and while we are not counting money here, I suggest that we might appropriate a part of this sum to plans and specifications for monuments and other things in the way of the beautification of the highway after it has been built.

Mr. ALDRICH. The Senator probably has not examined the terms of the resolution.

Mr. TILLMAN. It has been amended so often here it is a little confusing, unless I had the words before me. It proposes to appropriate \$50,000.

Mr. ALDRICH. "Or so much thereof as may be necessary."

Mr. TILLMAN. That phraseology is always used in making appropriations.

Mr. SMITH of Maryland. Mr. President, I differ with the senior Senator from Maryland. As the junior Senator, I do object that the States of Maryland and Pennsylvania shall donate a right of way. It either has to be done by individuals or by the States of Maryland and Pennsylvania. To ask the individuals to donate this property may be a very serious inconvenience and a great loss to them. On the other hand, you can do nothing until you get an appropriation from the State of Pennsylvania and the State of Maryland. As the Senator from Pennsylvania said, this is a matter for the General Government, and I think the General Government ought to stand the expense, and there will be no objection to it.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maryland yield to the Senator from Montana?

Mr. SMITH of Maryland. I do.

Mr. CARTER. I think I may with fair certainty suggest the prediction that the inclination of every farmer between here and Gettysburg will be to have that road go through his farm. It would certainly add materially to the value of the holdings on either side to have this very desirable highway constructed, and donations would follow freely.

Mr. SMITH of Maryland. That may be true, and it may be that it would not cost anything. It is more than likely that it would not cost anything. At the same time, if this is a memorial to be erected by the United States Government, I think the United States Government ought to make the arrangements in that particular.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. BURKETT] to the amendment of the Senator from Pennsylvania [Mr. KNOX].

Mr. CULBERSON. What is the question?

The VICE-PRESIDENT. The Secretary will again read the amendment to the amendment.

The SECRETARY. Add at the end of the amendment the following proviso:

*Provided, That the States of Maryland and Pennsylvania shall donate to the Government of the United States the right of way for said Lincoln Way within their respective States.*

The amendment to the amendment was rejected, there being on a division—ayes 6, noes 42.

The VICE-PRESIDENT. The question recurs on the amendment proposed by the Senator from Pennsylvania [Mr. KNOX].

Mr. KNOX. On that I ask for a yea-and-nay vote.

The yeas and nays were ordered.

Mr. McLAURIN. Mr. President, I wish to ask a question on a point of order. If the amendment of the Senator from Pennsylvania shall be adopted will the amendment itself then be amendable after its adoption?

The VICE-PRESIDENT. It will not be. The amendment must be perfected before it is voted upon.

Mr. McLAURIN. I should like to ask some Senator (I suppose the Senator from Pennsylvania is as familiar with it as anybody else) what is the exact distance from the city of Washington to Gettysburg?

Mr. KNOX. I have traveled over the road between here and Gettysburg frequently, and the route I have taken is about 72 miles; but I understand that the direct route is somewhat shorter. It is about 46 miles, the Representative from that district tells me.

Mr. McLAURIN. Mr. President, it seems to me that an appropriation of \$50,000 to survey a route of 46 miles is rather extravagant. I know the amendment proposes to appropriate \$50,000 or so much thereof as is necessary. It is not going to be necessary to appropriate \$50,000. It is not going to be necessary to use that much of the money to survey the route from here to Gettysburg. It does not seem to me reasonable that we should appropriate \$50,000 or any more than it is probable will be used in making the survey. The sum proposed is more than \$1,000 a mile for the survey alone.

Mr. KNOX. Mr. President—

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Pennsylvania?

Mr. McLAURIN. Certainly.

Mr. KNOX. In preparing the amendment I inserted the words "fifty thousand dollars" because I had absolutely no knowledge and no experience as to the cost of surveying the route. If any Senator will make a statement that he believes the survey ought to be made for a definite sum below that, I will be perfectly willing to have it substituted instead of the words "fifty thousand dollars."

Mr. KEAN and Mr. SCOTT (to Mr. McLAURIN). Make it \$25,000.

Mr. McLAURIN. I do not think it ought to be made \$25,000, nor half that sum. I do not think that it ought to cost more than \$100 a mile to survey the route. That would be \$4,600. I think \$5,000 would be an abundance.

Mr. KNOX. Mr. President—

The VICE-PRESIDENT. Does the Senator from Mississippi yield further to the Senator from Pennsylvania?

Mr. McLAURIN. I do.

Mr. KNOX. It is not contemplated that this shall be an ordinary highway. The scope and the scale upon which it should be constructed would make the engineering problems, I should imagine, rather more difficult than ordinarily.

Of course the appropriation is amply protected by the words "or so much thereof as may be necessary." I think under the

circumstances it ought to stand practically where it is unless somebody who pretends to know will indicate what would be a more proper sum.

Mr. DIXON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. McLAURIN. I do.

Mr. DIXON. In connection with a survey of this kind I remember a case in the Yellowstone National Park, where \$1,000 was appropriated to survey a mountain road about 30 miles long. It took about \$800 of the thousand to make the survey. I do not know how much of a road they surveyed, but I know that that was the cost.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. McLAURIN. I do; for a question.

Mr. HEYBURN. I suggest that the word "survey" may be more comprehensive as used here than ordinarily. A survey of this line should bring to us the information of what was found on the line. It is not merely a question of running a line to determine a distance, but the return should show every form of location of every house and building and, where it passed through villages and towns, the area of the streets and the buildings necessary to be taken. Without being personal, I will say I have had some experience in having such lines run, and it is not merely the question of running a line. The maps that accompany the report of the engineers should give us all the information that we will need as to what will be included within the plan. I would not think \$50,000 too much at all for the purpose.

Mr. McLAURIN. Mr. President, who is to judge as to "so much as is necessary?" If that is the direction, then there is no necessity for limiting the maximum amount; we might just as well say that there is a sum appropriated sufficient to make the survey. Congress ought always in making an appropriation to judge itself of the amount that is probably necessary for the work to be done.

Mr. du PONT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Delaware?

Mr. McLAURIN. I do.

Mr. du PONT. I think that the joint resolution prescribes in terms that the survey proposed shall be made under the direction of the Secretary of War. He will be the judge of how much is required for such a survey.

Mr. McLAURIN. That being so, Mr. President, it is itself an objection. Congress, as I have just said, ought to be the judge of that matter. In the instance suggested by the Senator from Montana, a survey of 30 miles was made at an expense of \$800, a little less than \$30 a mile. Now, here is proposed an appropriation of more than a thousand dollars a mile to make this survey. I have said that I believe a hundred dollars a mile would be sufficient, but certainly \$200 a mile would be sufficient for the survey.

Mr. President, there is a proposition here for erecting some suitable memorial to one of the great men of this country to commemorate his life and his services to the country.

The VICE-PRESIDENT. The Senator from Mississippi will suspend while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6484) to establish postal savings banks for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

Mr. CARTER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. Without objection, it is so ordered. The Senator from Mississippi will proceed.

Mr. McLAURIN. Here is a proposition to build a road from here to the battle ground of Gettysburg, Pa. That road will be worth a great deal to a great many people along the route. It will be worth a great deal to the people of Gettysburg. It will be worth a great deal to some property owners in this city.

I do not believe that a testimonial to one of the great men of the country should be made the occasion for commercial adventure, but at the outset, is Congress going into the extravagance of appropriating \$50,000 for the purpose of surveying a road that ought to be surveyed for much less than half and for less than one-fourth of that sum? Is that the spirit in which the enterprise is to be started? I do not think it ought to be. It is true this may be denominated niggardly. Let it be denominated what you please. We are voting away the money of the people of the country and not our own money, and that money ought to be protected by the Congress of the United States, instead of being extravagantly squandered for any purpose.

I am not making the point that Congress should not erect a suitable memorial, but I think it ought to be something in which there is no semblance of an effort at commercialism or an effort at making merchandise of this matter of sentiment. That is my idea about it.

I shall move to strike out "fifty thousand," and I am going to put four times as much in the amount I shall suggest that I think ought to be put in. I am doing that in deference to the suggestion which was made to me a while ago by the senior Senator from New Jersey [Mr. KEAN]. I shall ask to insert in its place \$20,000.

The VICE-PRESIDENT. The Senator from Mississippi proposes an amendment to the amendment, which will be read.

The SECRETARY. It is proposed to strike out "fifty thousand" and insert "twenty thousand," so that if amended it will read: "The sum of \$20,000."

Mr. HALE. Mr. President, let me ask the Senator from Pennsylvania [Mr. KNOX] what he has in contemplation about the survey. If it is to be done by engineer officers employed by the Government, it will cost in the way of appropriation very much less than otherwise. But unless that is in contemplation by the Senator, and is so fixed in his amendment, and if the survey is to be made outside of the engineer officers of the department by civil engineers employed by the Government, I am safe in predicting that instead of its costing \$50,000 it will cost \$150,000. It is a distance of anywhere from 60 to 70 miles—

Mr. KNOX. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Pennsylvania?

Mr. HALE. Certainly.

Mr. KNOX. I may as well relieve the Senator's mind on the subject now as at any other time. It may save some trouble. Of course, there is no contemplation that this work shall be done by anybody except the officials connected with the War Department. It is directed to be done under the Secretary of War, and only such an appropriation should be made as will clearly enable him to do the work that is contemplated. The Senator from Montana [Mr. CARTER] has just informed me that he proposes to offer an amendment. Will the Senator please state it?

Mr. CARTER. It is to insert, after the word "survey," the words "plans for construction and estimates of cost," so as to read:

Hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey, plans for construction, and estimate of cost for said highway.

Mr. HALE. Why not, after the word "survey" insert "by army engineers?"

Mr. KNOX. I am perfectly willing to accept that.

Mr. CARTER. After the word "cost?"

Mr. HALE. That would make all the difference about the expense. You can not get a survey by a civil engineer outside of government employment. First, they have to select the place to locate the road. They have got to spend months in deciding where it shall be made. Then we will get some idea of the cost. Now, let the amendment that I have suggested be read.

Mr. CARTER. The amendment as suggested by the Senator should cause the text to read:

Hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey, plans for construction, and estimates of cost by engineers of the United States Army for said highway.

Mr. HALE. That is right.

Mr. KNOX. I accept it.

Mr. CARTER. In order that the debate may proceed with this amendment included, if it is the pleasure of the Senate to include it, I now offer the amendment.

The VICE-PRESIDENT. The Senator from Montana proposes an amendment, which will be stated.

The SECRETARY. In the last line of the proposed amendment, after the word "survey," insert "plans for construction, and estimates of cost by engineers of the United States Army."

The VICE-PRESIDENT. The Senator from Pennsylvania accepts the amendment to his amendment.

Mr. CULBERSON. I ask that the amendment as now proposed may be read.

The VICE-PRESIDENT. The Secretary will read the amendment as modified.

The SECRETARY. On page 2 of the joint resolution strike out all of line 14 and the lines that follow and insert:

Be it further resolved, That with a view to the construction of suitable memorials to commemorate the public services and character of Abraham Lincoln, which memorial may include a great national highway to be called "The Lincoln Way," from Washington to the battlefield of Gettysburg, in the State of Pennsylvania, the sum of \$50,000, or so much thereof as may be necessary, to be expended under the direc-



tion of the Secretary of War, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey, plans for construction, and estimates of cost by engineers of the United States Army for said highway.

The VICE-PRESIDENT. The question is first on the amendment of the Senator from Mississippi to the amendment of the Senator from Pennsylvania, striking out "fifty" and inserting "twenty" before "thousand."

Mr. CULBERSON. I desire to make an inquiry of the Senator from Pennsylvania. Not having been able to hear all of the discussion, I should like to know from the Senator if he considers this resolution as binding upon Congress or the Senate to adopt as a memorial the construction of this road.

Mr. KNOX. Mr. President, as I have already stated, I will say in terser form, the resolution does not bind Congress to the highway.

Mr. CULBERSON. Do I understand, then, the Senator by his amendment simply to mean that this is merely an inquiry on the part of Congress to determine the cost, and so forth, connected with a project of this kind, to be hereafter determined by Congress upon a full consideration of the matter?

Mr. KNOX. I do not think that any doubt will arise in the mind of anyone who reads or listens to the amendment now in its present form. If it is any satisfaction to the Senator from Texas to state my own personal views about it, I regard it that the Senate is practically saying to-day that the time has come when there should be some declaration upon the subject of a suitable memorial to Lincoln, and that is as far as the Senate is concerned. It feels that the subject of a great national highway commends itself to the Senate to be inquired into, and therefore we must know something about the location and the cost, the general features of it, and a sum of money that is being appropriated to gather that information. Of course when it comes to the Senate, the Senate may go on with it or it may reject it.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Maine?

Mr. KNOX. Certainly.

Mr. HALE. I thought the Senator would be willing to assure us that neither he nor any successor of his nor any Senator from Pennsylvania will hereafter claim that by this joint resolution Congress was committed to this highway.

Mr. KNOX. I do not see how I can add anything to the words I have already said, and I do not care to bind myself or my successors in office.

Mr. HALE. I hoped the Senator might be able to go a little further than that, because I fancy that hereafter we shall be told that we have got to build this highway.

Mr. KNOX. If it can be arranged so that I can decide who my successor would be, I think I could better inform the Senator.

Mr. HALE. I think we all would be entirely willing the Senator should do that.

Mr. BACON. I desire to ask the Senator from Pennsylvania a question. If I understand him correctly, the Senator would recognize, if at any subsequent time it should be the sense of Congress, that it would be equally proper for the Senate to make an inquiry as to any other particular route that might be desired to be inquired into.

Mr. KNOX. I certainly think there would be no limitation on the power of Congress to make such an inquiry as has been suggested by the Senator from Georgia.

Mr. BACON. And that the inquiry would be as much in order, within proper limitations, of course, as this one, if any suggestions in the future should be made.

Mr. KNOX. That matter is entirely within the discretion of Congress.

Mr. WETMORE. I should like to ask a question of the Senator from Pennsylvania. I ask him whether his amendment as it now stands contemplates any other memorial besides a road?

Mr. KNOX. Oh, yes; I am quite sure of it.

Mr. WETMORE. In other words, it does not commit us to the Gettysburg road?

Mr. KNOX. Absolutely it does not, as I understand it.

Mr. BACON. I want to say that my inquiry was suggested by the thought that a road from here to Richmond would be a very much more appropriate road than a road from here to Gettysburg. Whereas the road to Gettysburg would lead to one battlefield, the road to Richmond would lead through the battlefields of four years.

Mr. NEWLANDS. I wish to inquire of the Senator from Pennsylvania whether the sum which is appropriated would apply only to plans and estimates regarding the road to Gettysburg or whether it would cover also plans and estimates for other suggested memorials?

Mr. KNOX. I think it is perfectly clear from the language of the joint resolution that the appropriation is made exclusively for the purpose of inquiring into the highway project and not any other project.

Mr. NEWLANDS. Let me suggest, then, to the Senator from Pennsylvania that if we act now in this way and make an appropriation of \$50,000 or a less sum simply for a survey of this road and for plans and estimates of the cost, we practically give this form of memorial the right of way. It is not fair when we are considering the question as to what shall be the form of memorial to confine our appropriation and our investigation to only one form of memorial.

The joint resolution as now amended provides for the consideration of memorials hereafter—one, two, three, four alternative projects—and yet we present the machinery by which only one memorial can be presented to the consideration of Congress.

I do not believe that that is the intention, and I would suggest that the amendment of the Senator from Pennsylvania be enlarged so as to make the expenditure of \$50,000 apply to the study generally of this question, so that alternative projects can be considered when the matter comes before Congress.

I would also suggest to the Senator that his amendment would be improved by the addition of a provision, as follows:

That in connection with such memorials the President is authorized to appoint, by and with the consent of the Senate, an advisory council, to be known as "the council of the arts," composed of eminent architects, painters, sculptors, landscape architects, and laymen, such body to be selected from names submitted to the President by the directors of the American Institute of Architects.

Mr. President, we are just entering upon a great era of architectural development in this country, and thus far we have made no such provision for it as has been made in other civilized countries by the creation of a bureau of arts, or by the creation of a ministry of arts, and by the creation in every instance of a council of arts, composed of architects, painters, and sculptors of distinction. This work will involve the expenditure of many millions of dollars, and yet in it, so far as this amendment goes, the talents only of the Engineering Department of the Government are enlisted, and that, too, in face of the fact that the Engineer Corps of the Army is composed of only 180-odd officers, that it is overburdened with work, and that recommendations are now pending for doubling the force, which, of course, will take many years to accomplish through the slow process of turning out educated engineers from West Point. With already an overburdened corps engaged in the work of the Panama Canal, engaged in the work of improvement of our rivers and harbors, a work which will be expanded indefinitely in the future, involving appropriations of from forty to fifty million dollars annually, the only provision we make for experts in this work is the employment of engineers belonging to the Engineer Corps of the Army.

I ask the Senator from Pennsylvania whether he will assent to the addition of this amendment. I will read it to him again.

Mr. KNOX. I paid close attention to the amendment as the Senator from Nevada read it, and I can not agree to it for the reason that if we were to insert that in the joint resolution, we would be just where we were before, and that is nowhere, on this proposition.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Mississippi [Mr. McLaurin].

Mr. NEWLANDS. Mr. President, I will move the amendment I read.

The VICE-PRESIDENT. The first question is on the amendment proposed by the Senator from Mississippi [Mr. McLaurin] to the amendment of the Senator from Pennsylvania [Mr. Knox].

The amendment to the amendment was rejected.

Mr. NEWLANDS. I offer the amendment which I send to the desk, to be added to the amendment proposed by the Senator from Pennsylvania [Mr. Knox].

The VICE-PRESIDENT. The amendment proposed by the Senator from Nevada will be stated.

The SECRETARY. It is proposed to add at the end of the amendment submitted by Mr. Knox, the following:

That in connection with such memorials the President is authorized to appoint, by and with the consent of the Senate, an advisory council, to be known as the council of the arts, composed of eminent architects, painters, sculptors, landscape architects, and laymen, such body to be selected from names submitted to the President by the directors of the American Institute of Architects.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Nevada [Mr. NEWLANDS] to the amendment of the Senator from Pennsylvania [Mr. KNOX].

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment proposed by the Senator from Pennsylvania [Mr. Knox].

Mr. BACON. Mr. President, I desire that the original resolution as proposed, upon which the vote will recur, be read in order that we may see what we shall vote upon in case the amendment of the Senator from Pennsylvania [Mr. Knox] is voted down.

Mr. WARREN. Then, I suppose, the Senator calls for the reading of the last paragraph only, which contains the amendment proposed by the Senator from Pennsylvania.

Mr. BACON. I only want so much of it read as will show what we shall have the opportunity to vote upon if the amendment of the Senator from Pennsylvania is defeated.

The VICE-PRESIDENT. The Secretary will read as requested.

The SECRETARY. It is proposed to strike out the following paragraph:

*Be it further resolved, That it is hereby recommended—*

Mr. BACON. Mr. President, I do not ask for the reading of any amendment. I want to know the proposition as it will be before the Senate if the amendment of the Senator from Pennsylvania should not be adopted.

The VICE-PRESIDENT. The Secretary will state the original paragraph as heretofore amended by the Senate and as it would stand if the amendment proposed by the Senator from Pennsylvania should be rejected.

Mr. WETMORE. Mr. President, that would be the pending amendment offered by the Senator from Montana [Mr. CARTER], as I understand.

Mr. BACON. No.

The VICE-PRESIDENT. The amendment of the Senator from Montana was accepted by the Senator from Pennsylvania. The Secretary will read as requested.

The SECRETARY. The provision as it stands reads as follows:

*Be it further resolved, It is hereby recommended that action be taken looking to the construction of a suitable memorial which shall be worthy his great fame, his service to humanity and to his country, and fittingly commemorate the grandeur of character, the nobility of life, and the epoch-making career of Abraham Lincoln.*

It is proposed to substitute for those words the following:

*Be it further resolved, That with a view to the construction of suitable memorials to commemorate the public services and character of Abraham Lincoln, which memorials may include a great national highway, to be called "The Lincoln Way," from Washington to the battlefield of Gettysburg, in the State of Pennsylvania, the sum of \$50,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey, plans for construction, and estimates of cost by engineers of the United States Army for said highway.*

Mr. WETMORE. Mr. President, I am sorry to say that I consider this amendment a committal to the Gettysburg project, and therefore I trust that it will be voted down.

The VICE-PRESIDENT. Upon the question of the adoption of the amendment of the Senator from Pennsylvania [Mr. Knox] the yeas and nays have been ordered.

Mr. BEVERIDGE. Mr. President, I desire to make a parliamentary inquiry. We are now voting directly upon the amendment of the Senator from Pennsylvania [Mr. Knox] as amended, so that the vote will be "yea" in favor of it and "nay" against it?

The VICE-PRESIDENT. That is correct. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BAILEY (when his name was called). I have a general pair with the Senator from West Virginia [Mr. ELKINS], who is absent. I suppose, of course, that this is not a question upon which he would have any concern; but, at any rate, I withhold my vote.

Mr. CLARK of Wyoming (when his name was called). I desire the attention of the Senator from Texas [Mr. BAILEY] for a moment. I made an arrangement with the Senator from Texas for a transfer of pairs for to-day. I ask if he desires that to stand on this vote?

Mr. BAILEY. That fact had escaped my attention for the moment. I am glad that the Senator has called my attention to it. He can vote now, and after the roll call is concluded I shall vote.

Mr. CLARK of Wyoming. I vote "nay."

Mr. TAYLOR (when his name was called). I am paired with the Senator from New Jersey [Mr. BRIGGS] and therefore withhold my vote.

Mr. WARREN (when his name was called). I announce my pair with the Senator from Mississippi [Mr. MONEY.]

The roll call having been concluded, the result was announced—yeas 46, nays 24, as follows:

## YEAS—46.

Aldrich	Depew	Johnston	Platt
Beveridge	Dillingham	Kean	Rayner
Borah	Dixon	Kittredge	Richardson
Bourne	du Pont	Knox	Scott
Brandegee	Flint	La Follette	Smith, Md.
Brown	Frye	Lodge	Smith, Mich.
Bulkeley	Fulton	Milton	Smoot
Burrows	Gamble	Nelson	Stephenson
Carter	Gary	Page	Sutherland
Clapp	Guggenheim	Penrose	Warner
Crane	Hemenway	Perkins	
Curtis	Heyburn	Piles	

## NAYS—24.

Bacon	Culberson	Long	Paynter
Burkett	Cullom	McCreary	Simmons
Burnham	Davis	McLaurin	Taliaferro
Clark, Wyo.	Dick	Martin	Teller
Clarke, Ark.	Gallinger	Newlands	Tillman
Clay	Hale	Overman	Wetmore

## NOT VOTING—22.

Ankeny	Dolliver	Hansbrough	Owen
Bailey	Elkins	Hopkins	Stone
Bankhead	Foraker	McCumber	Taylor
Briggs	Foster	McEnery	Warren
Cummins	Frazier	Money	
Daniel	Gore	Nixon	

So Mr. Knox's amendment was agreed to.

The VICE-PRESIDENT. The question is on the amendment as amended.

The amendment as amended was agreed to.

Mr. McLAURIN. I offer the amendment which I send to the desk, to be added at the end of the joint resolution.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the joint resolution it is proposed to add the following:

*And may include a highway from Washington to Manassas, Va., which shall be surveyed as the one heretofore named herein to Gettysburg.*

Mr. BACON. I move to strike out the word "Manassas" and insert "Richmond."

The VICE-PRESIDENT. The Senator from Georgia proposes an amendment to the amendment, which will be stated.

The SECRETARY. It is proposed to strike out "Manassas" and insert in lieu thereof "Richmond."

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment proposed by the Senator from Mississippi.

The amendment was rejected.

Mr. BAILEY. Mr. President, I should like to hear the joint resolution read as it has been amended.

The VICE-PRESIDENT. The Senator from Texas asks that the joint resolution as amended be read. Without objection, the Secretary will read as requested.

The Secretary read as follows:

*Resolved, etc., That the 12th day of February, 1909, the same being the centennial anniversary of the birth of Abraham Lincoln, be, and the same is hereby, made a special legal holiday in the District of Columbia and the Territories. Be it further*

*Resolved, That it is hereby recommended that the American people at home and abroad, the States and Territories, and the District of Columbia, all municipalities and towns, all organized bodies of citizens, all associations, and all people generally, set apart the centennial of the birth of Abraham Lincoln to do reverent honor to his memory. Be it further*

*Resolved, It is hereby recommended that at all places where people gather for public purposes, and in schools, colleges, and all seats of learning, addresses be made in eulogy of Lincoln, and other special and appropriate exercises be held. Be it further*

*Resolved, That the President be authorized to issue a proclamation, in accordance with the foregoing, inviting governors of States and Territories and mayors of cities to participate in the public recognition of the centennial anniversary of the birth of Abraham Lincoln, recommending that said day be observed as a special holiday. Be it further*

*Resolved, That, with a view to the construction of suitable memorials to commemorate the public services and character of Abraham Lincoln, which memorials may include a great national highway, to be called the "Lincoln Way," from Washington to the battlefield of Gettysburg, in the State of Pennsylvania, the sum of \$50,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expenses in making a survey, plans for construction, and estimates of cost by engineers of the United States Army for said highway.*

Mr. BAILEY. Mr. President, I understand the latter part of the joint resolution was the amendment proposed by the Senator from Pennsylvania. I purposely refrained from voting on the question of its adoption because I did not understand it. I desire to vote on the joint resolution, but before voting on it I want to ask the Senator from Pennsylvania if it is in contem-



plation that the Federal Government shall exercise the power to condemn the land necessary for the construction of this highway in the event that the owners of it decline to sell?

Mr. KNOX. It seems to me, Mr. President, that that is a matter that will have to be determined when Congress decides whether or not it will go on with this work. We are not in a position now to commit ourselves as to what method should be employed to acquire title to the lands over which that road might be built.

Mr. BAILEY. Mr. President, I would have said two or three years ago without the slightest hesitation that the Federal Government could not authorize the condemnation of land for the purpose of constructing a highway like this within a State. I am still of that opinion, though I am aware that the Supreme Court of the United States sustained the condemnation proceeding for the purpose, I believe, of acquiring an electric or other kind of railway in the Gettysburg Park. Just exactly how that was within the power of the Federal Government I have never yet been able to work out to my satisfaction; but the learned justice who delivered the opinion in that case, as I remember, said that the establishment of that park was calculated to cultivate the patriotism of the people, and therefore within the power of the Federal Government.

If we are to accept that broad doctrine, unquestionably, then, the construction and maintenance of this great highway is within the power of the Federal Government. But I am myself unable to subscribe to a doctrine of that kind. I regret very much that I am not permitted to vote for so much of the bill as proposes to do honor to the memory of Mr. Lincoln without asserting what I believe to be a dangerous power in the Federal Government. If the Federal Government can go into a State of this Union and condemn a private citizen's property for the purpose of building one highway—not a highway for the purpose of regulating commerce, but a highway wholly disconnected with the commerce and other powers of the Government—then there seems to be no limitation on it.

Mr. RAYNER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Maryland?

Mr. BAILEY. I yield to the Senator from Maryland.

Mr. RAYNER. I agree entirely with what the Senator from Texas has said, but I want to ask him whether the two decisions, the one to which he refers in the case of the Gettysburg Railway Company, and particularly the Koby case from Wisconsin, with which he is familiar, do not cover this proposition?

Mr. BAILEY. They cover it, but not to my satisfaction.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. Does the Senator doubt that the Congress of the United States may authorize the Secretary of War to survey a route for a road?

Mr. BAILEY. Not at all, provided he surveys it in pursuance of some power possessed by the Federal Government. For instance, he would have the right to survey a route for a military highway if it were essential to the defense of the United States; and I do not doubt now—I never doubted even before the court so decided—that, under the power to regulate commerce, Congress might authorize the construction of a highway, either rail or dirt, along which the commerce of the country might move. But it seems that, while this is a fitting tribute to pay the memory of a great man, you could pay it without raising any question as to power.

Mr. ALDRICH. The Congress is constantly making appropriations for investigation, surveys, and estimates for the improvement of streams, although in many cases it is very doubtful whether they are navigable and very doubtful whether their improvement is within the jurisdiction of the United States. I think that the question involved in this amendment is simply a question of examination. I do not in any sense agree with my colleague [Mr. WETMORE] that this is a commitment on the part of the Senate to the building of any road anywhere. By its express terms it is simply making an inquiry, and all the questions which may arise when Congress undertakes to order this work, if they ever should, would be considered then. It seems to me that the Senator from Texas is crossing a bridge which is certainly not immediately in front of us when he is suggesting that there may be constitutional objections to the construction of this road.

Mr. BAILEY. We are just as certain to come to that bridge as we live. The Senator from Rhode Island can take my word for it. I believe, Mr. President, that it is very unfortunate that we have coupled with the general proposition an amendment of this kind.

I want to disclaim here and now any thought of objecting to Gettysburg. That is a battlefield consecrated by the richest blood of men on both sides in the war between the States. It was there that the soldiers from my own State, though fighting on the side that lost, and losing that day they lost that war, yet won a glory as imperishable as the victorious army did. I have no prejudice growing out of the war, and certainly I have none against Gettysburg. If we are to build a highway I would as soon it be built to that battlefield as to any other; but I do not believe in the doctrine that because it will cultivate the patriotism of our people for the Government to exercise the great right of eminent domain in a given case that the exercise of such a power can be justified, and for that reason I asked the Senator from Pennsylvania whether or not it was contemplated that the Government would exercise the right of eminent domain. I freely say that if I believed it was intended to compel any citizen of the United States to sell his property against his will in order to construct this highway I would vote against it, whatever sentiment might move me the other way. On the other hand, if it has been arranged, or if it is understood that no power of condemnation is to be exercised on that right of way, if it can be acquired without resort to the courts, then I would have no objection to it.

Mr. RAYNER. I should like to hear read that part of the resolution which gives the right to condemn.

Mr. WARREN. Are we ready to proceed with a vote?

Mr. RAYNER. I desire to say one word.

The VICE-PRESIDENT. The Senator from Maryland has the floor. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. WARREN. I do not wish the Senator to yield, but I hope he will speak so that we may hear him. I did not know what his intention was.

Mr. RAYNER. I merely want to say a word about this matter.

There may be some question here about the right to condemn. I have not the volume here. I have sent for it. But this identical question, I think, has been settled in the Gettysburg case. The court there held that the Government had the right to condemn. I did not think they would ever decide that way, but there is no doubt about the decision. While I did not oppose the provision of the Senator from Nebraska, I had this decision in mind when I said that I would not object on the part of Maryland to ceding a right of way, because I thought this difficulty might occur, and I knew there would be no difficulty about ceding the right of way, because everybody in Maryland, I am sure, would be willing to give the right of way. But I had the difficulty in mind, and I sent for the case, and I find that the United States has the absolute right to condemn. I agree with the Senator from Texas it is wrong, but there it is. It has the right to condemn the highway, according to this decision.

Mr. WARREN. It seems to me that question is far away. The Senate is now in full attendance, and Senators are waiting to finish the short portion of the legislative appropriation bill remaining. It seems to me we might defer further discussion upon a point which is not at issue now.

Mr. BACON. Mr. President, it never occurred to me until the matter was suggested by what has fallen from the lips of the Senator from Texas that possibly my suggestion of Richmond in place of Gettysburg might be construed into an objection to having that particular honor fall to the battle of Gettysburg. I had no such thought in my mind. I quite agree with him that neither side to the battle of Gettysburg has any reason to be ashamed of anything that occurred there in that Titanic combat and that the deeds of the men who were there engaged constitute an imperishable monument to the valor of the whole American people.

I do not depreciate Gettysburg in any manner, and have no objection to it on that ground. My thought in suggesting Richmond was that, if the road was to be built to a battlefield, a road which would lead through the great battlefields of Virginia, where the tide of battle ebbed and flowed for four long years, would be a very much more appropriate tribute than a road leading simply to one battlefield. That was the sole thought in my mind.

Mr. BAILEY. And one connecting the two capitals.

Mr. BACON. And one connecting the capital of the United States with the capital of the confederacy.

Mr. NELSON. Mr. President, I wish to add one remark on the question of constitutional scruples. We have a great national cemetery at Gettysburg, owned and controlled by the Federal Government, and I do not see what constitutional objection there can possibly be to the Federal Government constructing a highway from its reservation here in the District

of Columbia to another reservation in the State of Pennsylvania to open communication between two distinct pieces of government property. It seems to me that is a sufficient answer to all constitutional objections that may possibly be urged.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. CARTER, the title was amended so as to read: "A joint resolution relating to the celebration of the one hundredth anniversary of the birth of Abraham Lincoln, and making the 12th day of February, 1909, a legal holiday, and for other purposes."

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. WARREN. I ask the Senate to resume the consideration of the legislative appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 23464) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1910, and for other purposes.

Mr. WARREN. As a committee amendment, I move, on page 3, line 5, to strike out "four hundred" and insert "seven hundred and fifty."

The amendment was agreed to.

Mr. WARREN. In line 6, on the same page, I move to strike out "two hundred and twenty" and insert "five hundred."

The amendment was agreed to.

Mr. WARREN. That, I believe, completes the committee amendments to the bill.

The bill was reported to the Senate as amended.

The VICE-PRESIDENT. If there is no objection, the amendments made as in Committee of the Whole will be considered as concurred in.

Mr. BAILEY. Did I understand the Chair to announce that the amendments made as in Committee of the Whole would be considered as concurred in?

The VICE-PRESIDENT. "If there is no objection." The Chair will again put the question. Without objection, the amendments made as in Committee of the Whole will be considered as concurred in. Is there objection?

Mr. BAILEY. I object to that.

The VICE-PRESIDENT. The Senator can reserve a vote on any particular amendment he desires.

Mr. BAILEY. I was going to say as to all the amendments, outside of those relating to increases of salaries, I am perfectly willing for the vote to be taken in gross. As to those amendments which increase the present salaries of various officers of the United States I want separate votes.

Mr. WARREN. To what salaries does the Senator allude—the judicial and executive?

Mr. BAILEY. I want a vote on every one of those amendments. I think, however, in order to save the time of the Senate, if we can have one vote which appears to be decisive it will be sufficient.

Mr. WARREN. Then, first vote on the question of the President's salary.

Mr. BAILEY. Well, I am content to have it taken that way. The Senator from Idaho [Mr. BORAH] is now in his seat. That is one thing I wanted to do—to wait until he came in.

The VICE-PRESIDENT. Without objection, although it is an unusual course perhaps, the Senate will reserve action upon the amendments reported to the Senate from the Committee of the Whole until after there have been separate votes upon such amendments as the Senator indicates. After there have been such votes, then the other amendments will be considered in gross.

Mr. BORAH. I desire to reserve the amendment on page 41, lines 14, 15, 16, and 17.

Mr. BAILEY. I have not the bill before me, and I will inquire of the Senator to what that relates?

Mr. BORAH. The Executive.

Mr. WARREN. The President's salary.

Mr. BAILEY. The President's salary.

Mr. WARREN. There is no objection to a vote being taken on that now, if the Senator desires it. As I understand, the bill is now in the Senate.

The VICE-PRESIDENT. The bill is now in the Senate.

Mr. BAILEY. I will ask to reserve—

Mr. WARREN. The Senator need not reserve it. He can move his amendment now. The bill is in the Senate and open to amendment.

Mr. BAILEY. I understand that perfectly. I do not myself propose any amendment. I am simply resisting the amendment

of the committee. I merely desire to reserve a separate vote upon the amendments increasing the salaries of judicial officers.

Mr. BORAH. We are now in the Senate.

The VICE-PRESIDENT. The bill is now in the Senate.

Mr. BORAH. And open to amendment?

The VICE-PRESIDENT. And open to amendment.

Mr. ALDRICH. Have the other amendments been concurred in?

The VICE-PRESIDENT. They have not been. The Chair suggested that the amendments on which Senators desired to have separate votes be first acted upon.

Mr. ALDRICH. I suppose the question is whether the amendments made as in the Committee of the Whole shall be concurred in in the Senate.

The VICE-PRESIDENT. That is the question, and Senators desire a separate vote upon some of the amendments. The Senator from Idaho proposes an amendment, which will be stated.

Mr. BORAH. On page 41, line 14, I move to strike out "one hundred" and insert "seventy-five," making it read "\$75,000."

The VICE-PRESIDENT. The Senator from Idaho proposes an amendment, which will be stated.

The SECRETARY. On page 41, line 14, in the committee amendment agreed to as in Committee of the Whole, it is proposed to strike out "one hundred" and insert in lieu thereof "seventy-five," so as to read:

For compensation of the President of the United States, \$75,000.

Mr. WARREN. Just a word, Mr. President. The Senator should know that when we are through with the bill here it must go to conference, where none of the salaries can be increased, but where we are almost sure to have to compromise with the House. In other words, in conference we often have to do as they say in horse trading, "split the difference."

It seems to me Senators could now fairly take the chance of allowing this bill to go to conference as it stands, because we are almost sure to meet resistance and reduction there. I wish the Senator would withdraw his motion. If not, I hope it may be voted down, for, in the first place, to pass it as offered would be to reduce it practically to the present pay of the President, and would not practically raise the salary at all. I think the salary ought to be raised. Mr. President, I ask for the yeas and nays upon the amendment.

The yeas and nays were ordered.

Mr. McLAURIN. I should like to ask the Senator from Wyoming what is the present pay?

Mr. WARREN. The President's pay proper is now \$50,000, and \$25,000 a year we have been appropriating for traveling and other similar expenses.

Mr. McLAURIN. That makes it \$75,000?

Mr. WARREN. Seventy-five thousand dollars.

Mr. McLAURIN. That is the present pay of the President?

Mr. WARREN. That is.

Mr. McLAURIN. I should like to know when that got to be so.

Mr. WARREN. We have appropriated the \$25,000 each year for three years.

Mr. McLAURIN. Then within the last four years we have raised the salary of the President \$25,000?

Mr. WARREN. We have not raised the salary of the President as such, but it amounts to practically the same, because in the sundry civil bill we have allowed \$25,000 a year.

Mr. McLAURIN. That has been the effect of it?

Mr. WARREN. Yes.

Mr. McLAURIN. That raised the salary \$25,000?

Mr. LODGE. No; not quite that.

Mr. WARREN. I may say it raised his possible compensation, altogether.

Mr. McLAURIN. Compensation.

Mr. LODGE. But the provision in the sundry civil bill was limited exclusively to transportation.

Mr. McLAURIN. I understood that the Senator from Wyoming just a little while ago stated that if we now fix the salary at \$75,000 it will not be any raise in the salary of the President of the United States. The thing that troubled me about that expression was that the compensation of the President of the United States, to use the term of the Constitution, must now be \$75,000 a year. When the present President of the United States came into office it was only \$50,000, as I understand, and the Constitution says it shall not be increased during his term of office; and the thing that worried me was to know how, if it was not increased, it got to be \$75,000.

Mr. WARREN. That has all been thrashed out heretofore. There is a broad doubt whether that should have been, under the Constitution, voted. That is one of the reasons why we



want to put it in better shape and fix a salary for the President which shall be definite and which will cover all expenses. Mr. McLAURIN. Then it was of questionable constitutionality, and it is desired—

Mr. WARREN. Yes; it was questioned. I am not asserting what it may be on my part. When the Senator speaks of total amount of salary he must have heard me qualify it by saying it was practically that.

Mr. McLAURIN. It is the same thing, and "things which are equal to the same thing or equal things are equal to each other."

Mr. TELLER. Mr. President, I was a member of the committee that recommended to the Senate the increase of salary, and I was a member of the committee that reported the bill to the Senate. Without violating the rules of the Senate by stating what occurred in committee, I desire to say that I am one of those who believe we have no authority to increase the emoluments of the President in any shape after he has taken his office. I voted on both occasions against the \$25,000 appropriation, not because I was not willing that the President should have it, but because I did not believe we had the authority to vote it. I do not believe so now.

Mr. President, when the opportunity was presented I objected to the \$100,000 salary. I made a suggestion then, and I made it subsequently in another place, that I was willing to give the President of the United States a salary of \$75,000. Then I was willing to give him, in addition to that—which we now have the authority to do, because it applies only to the next President and not to the present President, and there is no constitutional objection to giving the President whatever we choose—\$25,000 as a contingent fund, to be used in his own discretion for any purpose that he saw fit. I stated that I would not consent to the President of the United States being asked to report to Congress how he had spent the \$25,000.

Mr. President, I know very well—I have had some opportunities to know—that the President of the United States is called upon at all times for contributions for various purposes in charity and in various other ways and a multitude of expenses attach to that office which can not be provided for by law. I was willing that the President should have a hundred thousand dollars provided I knew certainly that there would be no further sum added, as there has been added before, contrary, as I believe, to the Constitution, after he shall have taken his office. I voted to make the salary \$75,000. I stated then I was quite willing to vote, in addition thereto, \$25,000, as, if I may so say, a contingent fund for his general use.

I do not think a hundred thousand dollars for the President's salary is an extravagant sum, everything considered. It was stated here the other day that the President of France gets \$125,000, and I thought perhaps there would be some suggestion that we should make it \$125,000 in this case.

Mr. President, in this discussion it has been agreed that the \$100,000 is to be final; that there is to be no additional sum allowed. I know we can not bind future Congresses, but I believe the policy of the party in power may be fairly determined by the declarations that have been made here.

I am not going to insist upon the President receiving a salary of \$75,000 after the Senate has carefully considered the question and voted \$100,000. I am going to accept that as the action of the Senate, so far as I am personally concerned. I do not believe the people of the United States will particularly complain of that. I think, as to some of the other salaries, they may make complaint; but I doubt very much whether the salary of the President will cause any complaint.

Mr. President, I would rather myself vote for a hundred thousand dollars straight at any time than to vote for \$25,000, as we have been giving him for the last few years in absolute violation, as I believe, of the Constitution of the United States; and if a hundred thousand dollars will be accepted by the party in power as the proper amount, I shall have no special complaint.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho [Mr. BORAH], on which the yeas and nays have been ordered.

The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BAILEY (when his name was called). I have a general pair with the Senator from West Virginia [Mr. ELKINS]. I transfer the pair to the Senator from Missouri [Mr. STONE] and will vote. I vote "yea."

Mr. CURTIS (when his name was called). I announce my pair with the junior Senator from Nevada [Mr. NIXON]. Were he here I should vote "yea."

Mr. TAYLOR (when his name was called). I transfer my pair with the Senator from New Jersey [Mr. BRIGGS] to the

Senator from Oklahoma [Mr. GORE] and will vote. I vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MONEY]. I do not see him in the Chamber. I will ask that he may be paired with the senior Senator from Washington [Mr. ANKENY] and I will vote. I vote "nay."

The roll call was concluded.

Mr. DILLINGHAM (after having voted in the negative). I desire to inquire whether the senior Senator from South Carolina [Mr. TILLMAN] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. DILLINGHAM. I have a general pair with that Senator, and for that reason withdraw the vote I gave.

Mr. McLAURIN. I wish to state that my colleague [Mr. MONEY] is unavoidably detained from the Chamber by illness.

Mr. SCOTT. I desire to state that my colleague [Mr. ELKINS] is detained from the city. If he were here he would vote "nay."

The result was announced—yeas 28, nays 41, as follows:

#### YEAS—28.

Bacon	Clapp	Johnston	Paynter
Bailey	Clay	La Follette	Rayner
Bankhead	Culberson	McLaurin	Simmons
Beveridge	Davis	Martin	Smith, Mich.
Borah	Dixon	Milton	Taftaferro
Brown	Frazier	Nelson	Taylor
Burkett	Gary	Overman	Teller

#### NAYS—41.

Aldrich	Dick	Kern	Richardson
Bourne	du Pont	Kittredge	Scott
Brandeggee	Flint	Knox	Smoot
Bulkeley	Frye	Lodge	Stephenson
Burnham	Fulton	Long	Sutherland
Burrows	Gallinger	McEnergy	Warner
Carter	Gamble	Newlands	Warren
Clark, Wyo.	Guggenheim	Page	Wetmore
Crane	Hale	Penrose	
Cullom	Hemenway	Perkins	
Depew	Heyburn	Platt	

#### NOT VOTING—23.

Ankeny	Dillingham	Hansbrough	Owen
Briggs	Dolliver	Hopkins	Piles
Clarke, Ark.	Elkins	McCreary	Smith, Md.
Cummins	Foraker	McCumber	Stone
Curtis	Foster	Money	Tillman
Daniel	Gore	Nixon	

So Mr. BORAH's amendment was rejected.

The amendment was concurred in.

Mr. BORAH. On page 11, line 21, I move to strike out the words "one thousand two hundred dollars each," and to insert the words "one thousand four hundred and forty dollars each," so as to read:

Eight conductors of elevators at \$1,440 each.

Mr. WARREN. I hope that amendment will not prevail. That is invading the right of a class of employees who ought to be treated together, and it will be taken care of in due season. I do not think the amendment ought to pass at this time.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Idaho [Mr. BORAH]. The amendment was rejected.

Mr. NELSON. On page 11, line 21, I move to strike out the word "two" before "hundred," and to insert the word "four," so that the pay of elevator conductors will be \$1,400, instead of \$1,200, as now.

Mr. WARREN. That is the same amendment that was offered by the Senator from Idaho except a change of \$40.

Mr. NELSON. No; it is not the same amendment.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Minnesota.

The SECRETARY. On page 11, line 21, before the word "hundred," strike out "two" and insert "four," so as to read:

Eight conductors of elevators, at \$1,400 each.

Mr. WARREN. That is exactly the same that we just passed upon.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Minnesota [Mr. NELSON].

Mr. WARREN. Is it in order after voting upon an amendment to have another Senator offer immediately the same amendment?

The VICE-PRESIDENT. It is not in the same language. It is different language.

Mr. WARREN. Very well.

The VICE-PRESIDENT. It is a different amendment.

Mr. WARREN. I hope it may be voted down.

Mr. LA FOLLETTE. Mr. President, I send to the desk, to have read in connection with the pending amendment, the rules and regulations requiring the men who run the elevators here to

be at their posts at certain hours and, under some circumstances, to be on duty seven days in the week, showing that they are performing very laborious service.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested by the Senator from Minnesota.

The Secretary read as follows:

Elevator conductors will report at the office of the chief engineer at 8 o'clock a. m., and not leave the building, without permission, until the elevators are closed.

During week days, elevator conductors will operate the cars from 8.30 o'clock a. m. until 5 o'clock p. m., or later if a Senator desires.

On Sundays, the east public elevator, known as "elevator No. 2," must be operated from 9 o'clock a. m. until 4 o'clock p. m., or later if a Senator desires, and conductors will take turns in operating this car.

Elevator conductors must observe the following rules:

Bring the floor of the car to the level of the outside floor before opening the grille doors, and see that all doors are closed before starting the car.

Maintain a standing position while operating the elevator, and not leave the car, under any circumstances, until relieved by another conductor or until the elevator is closed.

Keep the elevator machinery in a neat and tidy condition, and notify the engineer in charge when the elevator is closed.

When relieved, remain in their respective rooms or in the office of the chief engineer, where they can be called for immediate service.

Carry freight (wood, documents, etc.) before 9.30 a. m. or after adjournment of the Senate, but not let the hauling of freight at any time interfere with the passenger service.

Limit the passengers to the capacity of the cars, which is—

- No. 1, 12 persons, exclusive of conductor.
- No. 2, 14 persons, exclusive of conductor.
- No. 3, 10 persons, exclusive of conductor.
- No. 4, 8 persons, exclusive of conductor.

Respect only the orders issued by the chief engineer and approved by the Superintendent United States Capitol Building and Grounds.

And only thirty days' leave during the year.

Mr. TELLER. I should like the Senator who offered this amendment to explain what evil he is trying to cure. This is a question that I understand is under the control of the Committee on Rules of this body. We have had no complaint, so far as I know as a member of the Committee on Appropriations, concerning the elevator people. I do not know, nor can any other Senator tell, how much change it is proposed to make in the regulations as to the elevators.

Mr. LA FOLLETTE. I will say to the Senator from Colorado that my purpose in sending the memorandum to the desk to have it read was to call attention to the exacting duties required of the men who run the elevators and who receive \$1,200 a year under the present law. This does not seem to me to be a sufficient amount for these men to properly support their families and maintain themselves.

It seems to me that with the extreme liberality which the Senate has shown in the raising of the salaries of judges, the Speaker, the Vice-President, and the President, it might well lift the salaries of the elderly men employed as elevator operators in the Senate end of the Capitol. They sometimes work seven days a week, performing service from early in the morning until late at night. It seems to me to be a reasonable request to make the little increase in salary provided in the amendment.

Mr. TELLER. I should like to ask the Senator if those regulations represent the present rules.

Mr. LA FOLLETTE. I understand that they do, sir.

Mr. TELLER. Then the Senator does not desire to change the rules?

Mr. LA FOLLETTE. Oh, no. I simply had these rules read to inform the Senate of the time which these men are required to put in daily in their employment.

Mr. TELLER. I sympathize with the Senator as to the question of the salaries of these people. If the Senator wants to make a motion to raise their salaries, I will support it.

Mr. LA FOLLETTE. There is an amendment pending. The Senator from Minnesota offered the amendment. I simply sent the memorandum to the desk to have it read in support of the amendment.

Mr. TELLER. I did not understand what the motion of the Senator from Minnesota was.

Mr. NELSON. If the Senator from Colorado will allow me, I will state that I moved an amendment to increase the salary of the elevator boys—I believe there are eight of them—from \$1,200 to \$1,400 a year. We have a lot of messengers here who get \$1,440 a year, and when Congress adjourns they go home and do nothing at all and draw their salaries. These elevator boys are kept here all the summer and get only thirty days' vacation. In view of the great raise that we have made in salaries in other directions, it seems to me it is picayunish and lilliputian to refuse this increase in the pay of these hard-working elevator boys.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Minnesota [Mr. NELSON].

The amendment was agreed to.

Mr. PENROSE. I ask unanimous consent to have an amendment made on page 78, line 6, by striking out the words "four thousand five hundred" and inserting "five thousand." That would place the salary of the assistant treasurer at Philadelphia on an equality with the salary paid the assistant treasurer at Boston.

Mr. HALE. It ought to be more.

Mr. PENROSE. It ought to be more, because there is double the business.

Mr. WARREN. Let me ask the Senator from Pennsylvania, is that salary already in the statute?

Mr. PENROSE. That is the salary, the sum of \$5,000, authorized by section 3596 of the Revised Statutes, page 710 of the second edition of the Revised Statutes, 1878.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 6, strike out the words "four thousand five hundred" and insert "five thousand," so as to read:

Office of assistant treasurer at Philadelphia: For assistant treasurer, \$5,000.

The amendment was agreed to.

Mr. DICK. In lines 17 and 18, page 9, I move to strike out the words "four hundred and forty" and to insert "eight hundred," so as to read:

Forty-six messengers, at \$1,800 each.

The VICE-PRESIDENT. The amendment will be stated by the Secretary.

The SECRETARY. On page 9, lines 17 and 18, strike out "four hundred and forty" and insert "eight hundred," so that it will read:

Forty-six messengers, at \$1,800 each.

Mr. WARREN. These matters have never been before the Committee on Appropriations for consideration. I shall be compelled to make a point of order against the amendment. We must consider the subject-matter at some other time. There is no estimate for the increase. It has not been recommended by any committee.

The VICE-PRESIDENT. What is the point of order?

Mr. WARREN. The point of order is, first, it is not estimated for; and, second, it has not been recommended by any standing committee.

The VICE-PRESIDENT. The Chair thinks the point of order is well taken.

Mr. BAILEY. Mr. President, I reserved a separate vote on the amendments made when the Senate, as in Committee of the Whole, raised the salary of the judges, but in view of the very decisive vote of the Senate on the increase of the President's salary, I hardly think it worth while to occupy its time by a separate vote, and I shall not demand it, nor shall I occupy the time of the Senate further than to say—and it is the last word I shall have to say on it—that it is an amazing spectacle to me to see the legislative department of this Government assert its inferiority to the executive and judicial departments.

In the early days of the Republic it was believed that the legislative department of the Government would be the most important and the most potential. But there seems to have been a gradual but a distinct change of sentiment in that regard, and we have now reached a point when we vote that all executive officers of importance are entitled to higher salaries than Senators and Representatives; and then we follow that by voting that all the judicial officers of the Government—the Chief Justice, associate justices, circuit judges, and district judges—are all worth more to the people of the United States than Senators and Representatives. If I were disposed to be vicious in disposition, I would say I am inclined to think they are.

The VICE-PRESIDENT. Without objection, the amendments made as in Committee of the Whole, aside from those that have been amended in the Senate, will be considered in gross and, without objection, they are concurred in.

Mr. BAILEY. I want the right to vote on them.

Mr. WARREN. What is the motion of the Senator from Texas?

Mr. BAILEY. No motion is required. The motion is that these amendments be concurred in in the Senate, I understand. I am perfectly willing that the Chair shall put the vote on them in gross, so that I can get a chance to vote "no."

Mr. WARREN. That is all right.

The VICE-PRESIDENT. That is the question. The question is on concurring in the amendments made in Committee of the Whole, aside from those that have been amended in the Senate. The Senator from Texas is willing that the question be taken in gross.

Mr. BAILEY. In gross.

The amendments were concurred in.



The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### ADJOURNMENT TO MONDAY.

Mr. HALE. Mr. President, the Senate has been in prolonged session for the entire week, coming here early and staying late. In response to the request of many Senators who desire a day to attend to departmental and other outside business, I move that when the Senate adjourns to-day it be to meet on Monday next. I will then ask that the Senate take up the urgent deficiency appropriation bill after the routine morning business on Monday.

The VICE-PRESIDENT. The Senator from Maine moves that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

#### CONSIDERATION OF PENSION BILLS.

Mr. SCOTT. Mr. President, I understand that the House of Representatives will not consider any more pension bills after next week. I therefore desire to ask unanimous consent for the present consideration of two or three bills which are now on the Pension Calendar. The first bill for which I ask consideration is Senate bill No. 8628.

The VICE-PRESIDENT. The Senator from West Virginia asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (S. 8628) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and to certain widows and dependent relatives of such soldiers and sailors.

Mr. CULBERSON. I ask the Senator from West Virginia, before the unanimous consent for which he asks is given, if this bill is reported unanimously from the Committee on Pensions.

Mr. SCOTT. It is a unanimous report, as I understand it. All of these reports are unanimous. There are three of them on the calendar.

Mr. McLAURIN. I ask the Senator from West Virginia how many pensioners are carried in this bill?

Mr. SCOTT. I do not know the exact number.

Mr. McLAURIN. About how many? Has the Senator any idea?

Mr. SCOTT. About 100, I will say to the Senator.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll at the rate per month therein specified the following-named persons:

Joshua Long, late of Company C, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$24.

Joseph A. Espy, late of Company K, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$30.

Andrew J. Welker, late of Company H, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension of \$30.

Abraham A. Croy, late of Company F, One hundredth Regiment Indiana Volunteer Infantry, and pay him a pension of \$12.

Walter Kelley, late of Company B, First Regiment, Company A, Twenty-first Regiment, and Company A, Third Regiment, Wisconsin Volunteer Infantry, and pay him a pension of \$30.

John Lynch, late of Company M, Sixteenth Regiment New York Volunteer Cavalry, and Company G, Third Regiment New York Provisional Volunteer Cavalry, and pay him a pension of \$30.

Patrick J. Morgan, late of Company K, Ninth Regiment New York Volunteer Heavy Artillery, and pay him a pension of \$30.

William H. Barnes, late of the Thirty-fourth Battery New York Volunteer Light Artillery, and pay him a pension of \$24.

Charles W. Carter, late of Company A, Ninth Regiment New Hampshire Volunteer Infantry, and Company D, Fourth Regiment Massachusetts Volunteer Cavalry, and pay him a pension of \$24.

Warner P. Price, late of Company A, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension of \$24.

Harvey B. Ames, late of Company F, Eleventh Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$30.

Christopher C. Shockley, late of Company E, Thirtieth Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$24.

John H. Day, late of Company G, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension of \$30.

Timothy Donovan, late of Company H, Twenty-ninth Regiment Maine Volunteer Infantry, and Fifty-seventh Company, Second Battalion, Veteran Reserve Corps, and pay him a pension of \$24.

Henry G. Chritzman, late surgeon Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$30.

John J. Johnson, late of Company G, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$30.

John W. Pride, late sergeant-major First Battalion, Minnesota Volunteer Infantry, and second lieutenant Company A, First Battalion Minnesota Volunteer Infantry, and pay him a pension of \$30.

Clinton D. Patterson, late of Company H, Seventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension of \$30.

William A. Shappee, late of Company A, Eighty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$50.

Daniel S. Wilkins, late captain Company B, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$24.

John King, late of Company E, Second Regiment California Volunteer Cavalry, and pay him a pension of \$30.

Travilla A. Russell, late of Company B, First Regiment West Virginia Volunteer Infantry, and Company D, Second Regiment West Virginia Veteran Volunteer Infantry, and pay him a pension of \$24.

Mila P. Deisz, widow of Frank I. Deisz, late of Company K, Fortieth Regiment Wisconsin Volunteer Infantry, and pay her a pension of \$20.

Rebecca L. Price, late nurse, Medical Department, U. S. Volunteers, and pay her a pension of \$12.

Henry A. Chadbourne, late of Company C, Twenty-seventh Regiment Maine Volunteer Infantry, and pay him a pension of \$24.

Michael Fitzpatrick, late of Company E, Sixteenth Regiment Iowa Volunteer Infantry, and pay him a pension of \$24.

John P. D. Stevens, late of Company M, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension of \$24.

Frank M. Montague, late of Company G, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension of \$30.

Henry H. Klock, late first lieutenant and adjutant Ninth Regiment Illinois Volunteer Infantry, and pay him a pension of \$30.

Joseph W. Buckner, late of Company K, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension of \$24.

Robert W. Jones, late of Company C, Eighth Regiment West Virginia Volunteer Infantry, and Company C, Seventh Regiment West Virginia Veteran Volunteer Cavalry, and pay him a pension of \$30.

Anthony Coleman, late of Company B, Fifty-first Regiment United States Colored Volunteer Infantry, and pay him a pension of \$24.

Samuel Brundage, late of Company F, Fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension of \$24.

Frances A. Holt, widow of Charles F. Holt, late of Company G, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension of \$12.

Jacob M. Revis, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension of \$24.

Isaac H. Long, late of Company C, Second Regiment Tennessee Volunteer Infantry, and pay him a pension of \$24.

James A. Bowden, late of Company C, Tenth Regiment Rhode Island Volunteer Infantry, and Company K, Eleventh Rhode Island Volunteer Infantry, and pay him a pension of \$24.

William C. Webber, late of Company B, Second Battalion, Sixteenth Regiment United States Infantry, and pay him a pension of \$30.

James Ross, late of Company C, Forty-first Regiment Illinois Volunteer Infantry, and pay him a pension of \$24.

Reuben H. Boyce, late of the Seventeenth Independent Battery, New York Volunteer Light Artillery, and pay him a pension of \$30.

John House, late of Company E, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension of \$24.

Asa G. Reyburn, late of Company E, Eighth Regiment California Volunteer Infantry, and pay him a pension of \$24.

Lawrence F. Larkin, late first lieutenant Company K, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$30.

Charles S. Arnold, late of U. S. S. *Ohio*, *Young Rover*, and *Minnesota*, United States Navy, and pay him a pension of \$24.

George T. Smith, late of Company G, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension of \$30.

William J. Dowell, late of Company E, Thirty-first Regiment Illinois Volunteer Infantry, and pay him a pension of \$30.

Cary P. Taplin, late of Company G, Fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$30.

John F. Sacks, late of Company M, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension of \$24.

William L. Bales, late of Company H, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension of \$30.

James H. L. Potter, late of Company D, Twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension of \$24.

David Coble, late of Company A, One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry, and unassigned Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension of \$24.

Seraiah M. Pratt, late of Company C, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension of \$24.

Nancy J. Ayres, widow of Andrew J. Ayres, late of Company A, Eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension of \$20.

Ralph S. Jordan, late of Company I, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay him a pension of \$12, the same to be paid him without deduction or rebate on account of former alleged overpayment or erroneous payment of pension.

William McCarren, late of U. S. S. *Springfield* and *Great Western*, United States Navy, and pay him a pension of \$30.

Henry Ipeck, late of Company G, First Regiment North Carolina Volunteer Infantry, and pay him a pension of \$20.

Judson A. Potter, late of Company L, First Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension of \$24.

James M. Thomas, late of Company F, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension of \$50.

Iphigenia E. Crane, widow of Gilbert R. Crane, late of Company D, Eleventh Regiment Connecticut Volunteer Infantry, and pay her a pension of \$20.

William A. Petty, late of Battery B, First Regiment Ohio Volunteer Light Artillery, and pay him a pension of \$24.

John Giles, late of Company A, First Battalion, Fourteenth Regiment U. S. Infantry, and pay him a pension of \$30.

Frederic S. Hill, late acting volunteer lieutenant, United States Navy, and pay him a pension of \$30.

Lucy McKusick, widow of Marshall N. McKusick, late second lieutenant Sixth Battery, First Battalion Maine Volunteer Light Artillery, and pay her a pension of \$15.

Henry L. Harris, late commissary-sergeant Eighteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$24.

George W. Peck, late of Company H, Third Regiment California Volunteer Infantry, and pay him a pension of \$30.

William Thome, late of Company I, Thirty-fifth Regiment, and Company I, Twenty-ninth Regiment, Massachusetts Volunteer Infantry, and pay him a pension of \$30.

Daniel Loftis, late of Company K, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$24.

Thomas D. Stevenson, late of Company C, Twenty-second Regiment Illinois Volunteer Infantry, and pay him a pension of \$24.

Margaret L. Harden, widow of Henman Harden, late of Company B, Second Regiment Iowa Volunteer Infantry, and pay her a pension of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Henrietta Harden, helpless and dependent child of said Henman Harden, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Margaret L. Harden, the name of the said Henrietta Harden shall be placed on the pension roll at \$12 per month from and after the date of death of said Margaret L. Harden.

George A. Kogle, late of Company I, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension of \$30.  
 Frederick M. Hart, late of Company C, Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension of \$30.

Dana Fish, late of Company K, Ninety-third Regiment New York Volunteer Infantry, and pay him a pension of \$30.

Charles A. Slocum, late captain company G, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension of \$30.

William H. Bettinger, late of Company C, Fourteenth Regiment New York Volunteer Infantry, and pay him a pension of \$24.

William T. Collins, late of Company H, Fourteenth Regiment Kansas Volunteer Cavalry, and pay him a pension of \$24.

Gilbert L. Holmes, late of Company E, First Regiment West Virginia Volunteer Infantry, and first lieutenant Company I, Second Regiment West Virginia Veteran Volunteer Infantry, and pay him a pension of \$24.

James E. Herbert, late of Company A, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension of \$30.

James S. Swinehart, late of Company F, Twelfth Regiment Indiana Volunteer Cavalry, and pay him a pension of \$30.

Elbridge F. Green, late of Company L, Second Regiment New York Veteran Volunteer Cavalry, and pay him a pension of \$30.

Riley J. Philbrook, late of Company K, Second Regiment Minnesota Volunteer Infantry, and pay him a pension of \$30.

Hamilton H. McLain, late of Company E, Ninth Regiment Michigan Volunteer Cavalry, and pay him a pension of \$24.

Bradford H. Tripp, late of Company F, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$30.

Joseph W. Hartshorn, late of Company D, Second Regiment Massachusetts Volunteer Cavalry, and pay him a pension of \$24.

Edward Taubert, late of Company K, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$24.

George E. Currier, late of Company K, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension of \$24.

William McClarey, late of Company F, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension of \$30.

John C. Boren, late of Company H, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension of \$30.

Charles F. Smith, late of Company C, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$30.

Thomas C. Shankland, late of Company F, Thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension of \$30.

Earl M. Rogers, late first lieutenant Company I, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$36.

John Blade, late of Troop H, Second Regiment U. S. Cavalry, and pay him a pension of \$30.

Levi Judd, late of Company K, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$30.

Louise M. Bishop, former widow of Norman F. Lund, late of Company D, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension of \$12.

Emeretta A. Catlin, widow of Byron S. Catlin, late of Company A, Second Regiment New York Volunteer Heavy Artillery, and pay her a pension of \$12.

Jessie Stagg, widow of Peter Stagg, late colonel First Regiment Michigan Volunteer Cavalry, and brevet brigadier-general, United States Volunteers, and pay her a pension of \$30.

Augusta Burchard, widow of William Burchard, late lieutenant Battery A, First Virginia U. S. Volunteers, and pay her a pension of \$17.

John E. Phelps, late first lieutenant, Third Regiment, U. S. Cavalry, and colonel Second Regiment Arkansas Volunteer Cavalry, and pay him a pension of \$30.

Rachel J. Windsor, widow of William A. Windsor, late commander, United States Navy, and rear-admiral, United States Navy, retired, and pay her a pension of \$40.

Milo S. Goldthwait, late of Company I, One hundred and thirtieth Regiment, New York Volunteer Infantry, and pay him a pension of \$30.

William Miles, late of Company E, Twenty-eighth Regiment U. S. Colored Volunteer Infantry, and pay him a pension of \$12.

Charles G. Fink, late of Company C, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$24.

Boyd Cannady, late of Company H, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$24.

Charles W. Kimball, late of Company F, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$30.

William P. Worthing, late of Company G, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension of \$30.

James R. Bruner, late captain Company D, Forty-seventh Regiment Indiana Volunteer Infantry, and lieutenant-colonel One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension of \$36.

Oscar C. Stevens, late of Company I, Seventeenth Regiment Illinois Volunteer Cavalry, and pay him a pension of \$24.

Edwin H. Nash, late of Company H, First Regiment New York Volunteer Engineers, and pay him a pension of \$24.

Thomas Tirrell, late of Company K, Seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension of \$12.

Catharine H. Baker, widow of William A. Baker, late of Company G, First Regiment Rhode Island Volunteer Light Artillery, and pay her a pension of \$20.

George G. Adams, alias Godfrey Adams, late of Company B, Sixty-sixth Regiment New York Volunteer Infantry, and pay him a pension of \$24.

Charles F. Richards, late of Company F, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$30.

Blackburn B. Dovener, late captain Company A, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension of \$72.

Lucius Fuller, late of Company I, Eighth Regiment Kansas Volunteer Infantry, and pay him a pension of \$24.

Mr. SCOTT. On behalf of the committee I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 15, line 2, after the words "rate of," it is proposed to strike out "twenty-four" and insert "thirty," so as to read:

The name of Gilbert L. Holmes, late of Company E, First Regiment West Virginia Volunteer Infantry, and first lieutenant Company I, Second Regiment West Virginia Veteran Volunteer Infantry, and pay

him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in. The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SCOTT. I now ask unanimous consent for the present consideration of House bill 25409.

The VICE-PRESIDENT. The Senator from West Virginia asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 25409) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CULBERSON. I ask the Senator from West Virginia if this is simply another bill with additional names of a character similar to the preceding bill?

Mr. SCOTT. I will say to the Senator from Texas that the Committee on Pensions in making pension reports distribute the bills, and one Senator reports one portion of the bills and another Senator reports another portion of the bills. The bill for which I have asked consideration was reported by the Senator from Utah [Mr. SMOOT], after a unanimous agreement by the full committee that the report should be favorable.

Mr. CULBERSON. In other words, instead of having a great number of individual bills, the names of pensioners are put into two or three bills.

Mr. SCOTT. And the President has to sign but one bill, instead of having to sign 100 or 200 bills. That was the object of the consolidation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SCOTT. I now ask unanimous consent for the consideration of one more pension bill, which was reported from the Committee on Pensions by the Senator from Washington [Mr. PILES]. It is Senate bill 8629.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 8629) granting pensions and increase of pensions to certain soldiers and sailors of wars other than the civil war, and to certain widows and dependent relatives of such soldiers and sailors. It proposes to place upon the pension roll, at the rate per month therein specified, the following-named persons:

Betsy Anderson, widow of Peter Anderson, late of Company H, Fifteenth Regiment U. S. Infantry, and pay her a pension of \$12.

Morton R. Perry, late of Company L, Sixteenth Regiment U. S. Infantry, and pay him a pension of \$12.

James G. Hannard, late of Company E, Seventeenth Regiment U. S. Infantry, and pay him a pension of \$20.

John L. Johnson, late of Company A, Second Regiment Georgia Volunteer Infantry, war with Spain, and pay him a pension of \$12.

Harry W. Bershon, late of Company G, Twelfth Regiment Minnesota Volunteer Infantry, war with Spain, and pay him a pension of \$12.

Franklin Presley, late of Company A, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension of \$16.

George A. Sorrels, late of Company C, Second Regiment U. S. Artillery, and pay him a pension of \$24.

Helen L. Seymour, widow of Isaac Knight Seymour, late lieutenant-commander, United States Navy, and pay her a pension of \$40.

Jesse Tyre, late of Capt. Joseph J. Knight's company, Florida Mounted Volunteers, Florida Indian war, and pay him a pension of \$16.

Harry H. Short, late of Company B, Two hundred and second Regiment New York Volunteer Infantry, war with Spain, and pay him a pension of \$30.

James Brown, late of Capt. W. S. Buckley's Company K, Ninth Regiment Oregon Militia, Oregon and Washington Territory Indian war, and pay him a pension of \$16.

James Dixon, late of Captain Willard's company, First Regiment Florida Mounted Volunteers, Seminole Indian war, and pay him a pension of \$16.

Joseph Andrew, late of Capt. Robert Mickler's company, Florida Mounted Volunteers, Florida Indian war, and pay him a pension of \$16.

Eugene Wessinger, late of Company B, Eleventh Regiment U. S. Infantry, and pay him a pension of \$12.

Barnard Klein, late of Company I, First Regiment North Dakota Volunteer Infantry, war with Spain, and pay him a pension of \$30.

Emilie Le Barbier Crofton, widow of William M. Crofton, late first lieutenant and captain, First Regiment U. S. Infantry, and pay her a pension of \$25 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of the said William M. Crofton until he reaches the age of 16 years.

Henry B. Wallis, late of Capt. M. H. Glascock's company, Alabama Volunteers, Cherokee Indian war, and pay him a pension of \$16.

Mr. SCOTT. Mr. President, on page 4, line 8, after the words "rate of," I move to strike out "twenty-five" and to insert "thirty."

The VICE-PRESIDENT. The amendment proposed by the Senator from West Virginia will be stated.



The SECRETARY. On page 4, line 8, after the words "rate of," it is proposed to strike out "twenty-five" and to insert "thirty," so as to read:

The name of Emille Le Barbier Crofton, widow of William M. Crofton, late first lieutenant and captain First Regiment U. S. Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of the said William M. Crofton until he reaches the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BELLEFOURCHE LAND DISTRICT.

Mr. GAMBLE. Mr. President, I ask unanimous consent for the present consideration—

Mr. KEAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Dakota yield to the Senator from New Jersey?

Mr. GAMBLE. I do not. I ask unanimous consent for the present consideration of Senate bill No. 7377.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The Chair will present the request of the Senator from South Dakota. The Senator from South Dakota asks unanimous consent for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 7377) authorizing the creation of a land district in the State of South Dakota, to be known as the "Bellefourche land district."

The VICE-PRESIDENT. Is there objection to the request?

Mr. KEAN. Of course, I have no objection to the bill, Mr. President. I know nothing about it. It is a local matter.

Mr. GAMBLE. I am very anxious the bill should be now taken up and considered. It will take but a moment.

Mr. KITTREDGE. There are some amendments to be presented to that bill, which will take some little time. I think it had better go over.

Mr. GAMBLE. Mr. President, I do not understand there are any amendments proposed. The bill was unanimously reported from the Committee on Public Lands without amendment, and no amendments were suggested or proposed. The measure is entirely satisfactory to the people of the region affected by the proposed measure, and they are anxious for its enactment. Its passage is recommended by the Interior Department. It affects a large number of people in the western part of the State, and is a matter of great importance to them and for their convenience and accommodation.

I have spoken with the Member of the House from that section of the State and, as I understand it, there are no substantial differences in connection with the measure. Should there be, I am satisfied a solution can be had later. Considering the importance of the matter to the people interested, and that the time of this session is rapidly passing, I should be glad to have the bill taken up and considered at this time.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. KITTREDGE. I object.

The VICE-PRESIDENT. Objection is made by the junior Senator from South Dakota. The bill will go over without prejudice.

#### KANSAS RIVER BRIDGE, KANSAS CITY, KANS.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

Mr. CURTIS. Mr. President, I hope the Senator will withhold that motion until I can have a bridge bill considered.

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Kansas?

Mr. KEAN. I yield if it will give rise to no discussion.

Mr. CURTIS. I think it will not. I ask unanimous consent for the present consideration of the bill (S. 8333) to authorize the Edgewater Connecting Railway Company to construct, maintain, and operate a railroad bridge across the Kansas River at or near Kansas City, Kans., in the county of Wyandotte, State of Kansas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PROPOSED EXECUTIVE SESSION.

Mr. KEAN. Mr. President, it is very important that we should have an executive session. I therefore move that the Senate proceed to the consideration of executive business. The motion was not agreed to.

#### LIGHT AND FOG SIGNAL AT ARMY POINT, CAL.

Mr. PERKINS. I ask unanimous consent for the present consideration of the bill (S. 8259) providing for the construction of a light and fog signal at Army Point, Suisun Bay, California.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to construct a light and fog signal at Army Point, Suisun Bay, California, at a cost not to exceed \$10,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WALTER W. KEEFE.

Mr. WARREN. I ask unanimous consent for the present consideration of the bill (H. R. 8733) for the relief of Walter W. Keefe.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay \$427.75 to Walter W. Keefe, late civil plumber in the Quartermaster's Department at Fort Egbert, Alaska, for property destroyed by fire at Arlington dock, Seattle, Wash., on May 6, 1906.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ADVERSE LAND CLAIMS IN ALASKA.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 8587) to amend sections 2325 and 2326 of the Revised Statutes of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Public Lands, with amendments.

Mr. KEAN. I will ask if there is a report accompanying that bill?

The VICE-PRESIDENT. The Chair is informed that there is a report.

Mr. NELSON. There is a report with the bill; but I will say, Mr. President, that this bill was recommended by the General Land Office and sent in by them. It only relates to matters in Alaska.

Mr. KEAN. If the Senator from Minnesota says it is all right, I know it must be.

The VICE-PRESIDENT. There is a committee amendment, which the Secretary will state.

Mr. BURKETT. I should like to ask the Senator from Minnesota to explain what the bill does. I do not even know what the sections are which it is proposed to amend.

Mr. NELSON. The bill relates to cases where it is sought to acquire a patent to mineral lands under an adverse claim. In such cases the claimant must advertise for sixty days and post a notice for sixty days, and then anybody who has objection must file it in the sixty days. The distances in Alaska are so immense and the means of travel so poor that the time now allowed is found to be too short. This bill gives eight months, instead of sixty days, to file objections. So with reference to proving up. The bill is simply to meet conditions in Alaska. It was prepared by the General Land Office, sent to me, and I introduced it. It affects only Alaska.

Mr. CULBERSON. From what committee does the bill come?

Mr. NELSON. From the Committee on Public Lands. The committee were unanimous.

The VICE-PRESIDENT. The first amendment reported by the committee will be stated.

The SECRETARY. In section 1, page 1, line 11, before the word "months," it is proposed to strike out "six" and insert "eight," so as to make the section read:

That section 2325 of the Revised Statutes of the United States (p. 426) is hereby amended by adding to the end of said section the following words:

"Provided, That in the district of Alaska any person or association of persons having or asserting any adverse interest or claim to the tract of land or any portion thereof sought to be patented shall, during said period of posting and publication, or within eight months thereafter, file in the land office where such application is pending, under oath, such adverse claim and shall, within sixty days after the filing thereof, begin an action to quiet title in a court of competent jurisdiction within the district of Alaska."

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 10, before the word "months," to strike out "six" and insert "eight," so as to make the section read:

Sec. 2. That section 2326 of the Revised Statutes of the United States (p. 427) is hereby amended so as to read as follows:

"Sec. 2326. That where an adverse claim is filed during the period of publication, or within eight months thereafter if the land involved is within the district of Alaska, it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, or within sixty days after filing his claim if the land involved is within the district of Alaska, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the register of the land office, together with the certificate of the surveyor-general that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the receiver \$5 per acre of his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the register to the Commissioner of the General Land Office, and a patent shall issue thereon for the claim or such portion thereof as the applicant shall appear, from the decision of the court, to rightly possess. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the surveyor-general, whereupon the register shall certify the proceedings and judgment roll to the Commissioner of the General Land Office, as in the preceding case, and patents shall issue to the several parties according to their respective rights. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### LIFE-PRESERVERS ON MOTOR VESSELS.

Mr. SMITH of Michigan. I ask unanimous consent for the present consideration of the bill (S. 8266) to require life-preservers on motor vessels.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill referred to by the Senator from Michigan?

Mr. CLAPP. Mr. President, I do not feel like objecting to the consideration of this bill, but I see no reason why we should not take up the calendar in regular order for an hour, and I think after this bill is passed I will object to the further consideration of bills by unanimous consent, and let us go on in the regular way.

Mr. CULLOM. Mr. President, I have no objection to this bill, but I want to say that it is important that we should have an executive session this afternoon, and I hope, after a little while, we may be allowed to have it without controversy.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill referred to by the Senator from Michigan?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, on page 1, after line 9, to strike out section 3, as follows:

Sec. 3. That this act shall not be construed to mean or repeal any act now in force requiring life-preservers or floats.

So as to make the bill read:

Be it enacted, etc., That every vessel propelled by machinery other than steam machinery shall carry life-preservers of kinds approved by the board of supervising inspectors, so that there shall be at least one for each person on board.

Sec. 2. That all life-preservers shall be so stowed that their position may be known, and that they may be readily accessible to those for whom they are intended.

Sec. 3. That for any violation of this act the owner shall be liable to a penalty of \$10 for each such life-preserver lacking or improperly stowed.

Sec. 4. That this act shall apply to foreign vessels on December 31, 1909.

Sec. 5. That this act shall take effect on June 1, 1909.

Mr. KEAN. I ask to boats of what size the bill applies?

Mr. FRYE. There is no limit whatever, and none ought to be required.

Mr. KEAN. Does it apply to rowboats?

Mr. FRYE. Rowboats are not propelled by naphtha and gasoline. This bill covers boats propelled by naphtha and gasoline.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PEDRO MANGALINDAN AND OTHERS.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill (S. 8023) for the relief of Pedro Mangalindan, Basilio Baltazar, and Julio Lacsamana.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Pedro Mangalindan \$1,385.22, to Basilio Baltazar \$814.97, and to Julio Lacsamana \$978.21, a total of \$3,178.40, in full for the final release and discharge of their respective claims for the seizure and use of three cascos or lighters in Manila Bay by the United States Navy in August, 1899.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### CHRISTINA ROCKWELL.

Mr. SMOOT. I ask unanimous consent for the present consideration of the bill (S. 7390) for the relief of Christina Rockwell.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Christina Rockwell, surviving widow of O. P. Rockwell, \$1,073.13, such sum being due the said O. P. Rockwell, and never paid, as a mail contractor for star mail service in Utah during the contract term July 1, 1862, to June 30, 1866.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC PARK IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 6327) providing for the purchase of a reservation for a public park in the District of Columbia. I will say that a similar bill has passed the Senate twice before, and I hope there will be no objection to this bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$210,000 for the purchase of land for a public park near the intersection of Branch avenue and Pennsylvania avenue, SE., known as the "Carpenter tract" and the "Pennsylvania Avenue Heights tract," and so forth.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### GEORGE J. MILLER.

Mr. PILES. I ask unanimous consent for the present consideration of the bill (H. R. 9969) for the relief of George J. Miller, of Wenatchee, Wash.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to George J. Miller, of Wenatchee, Wash., \$400, being money which he, acting on the erroneous advice of the register of the United States land office, paid to the United States for government land which he was later held to be entitled to receive as a homestead without such payment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CORNELIUS VAN COTT.

Mr. DEPEW. I ask unanimous consent for the present consideration of the bill (H. R. 15218) for the relief of the sureties on the official bond of the late Cornelius Van Cott.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to relieve the estate of Cornelius Van Cott, late postmaster of the city of New York, and the sureties on his bond from the payment to the United States of \$1,285.71, the amount paid H. Clayton Graff during the fourth quarter of the year 1902 and the first and second quarters of the year 1903, who was carried on the pay rolls at the New York City post-office for said period.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GROSS TONNAGE OF VESSELS.

Mr. FRYE. I ask unanimous consent for the present consideration of the bill (S. 8460) to provide for the deduction of hatchways and water-ballast space from the gross tonnage of vessels.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 1 of the act approved March 2, 1895, entitled "An act to



amend section 1 of chapter 398 of the laws of 1882, entitled 'An act to provide for deductions from the gross tonnage of vessels of the United States,' by inserting after paragraph (h) the following words:

The cubical contents of the hatchways shall be obtained by multiplying the length and breadth together and the product by the mean depth taken from the top of beam to the underside of the hatch. From the aggregate tonnage of the hatchways there shall be deducted one-half of 1 per cent of the gross tonnage, and the remainder only shall be added to the gross tonnage of the ship exclusive of the tonnage of the hatchways.

Sec. 2. That said section is further amended by inserting at the end of the fourth paragraph after paragraph (i) the following words: "From the gross tonnage there shall be deducted any other space adapted only for water ballast certified by the collector not to be available for the carriage of cargo, stores, supplies, or fuel."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT MISSOULA, MONT.

Mr. DIXON. I ask unanimous consent for the present consideration of the bill (S. 8034) to increase the limit of cost for purchase of site and erection of a post-office building at Missoula, Mont.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. DIXON. Mr. President, I wish that the Senator from West Virginia [Mr. SCOTT], chairman of the Committee on Public Buildings and Grounds, were on the floor, as I desire to offer an amendment to the bill, by striking out "fifty" and inserting "sixty," in the last line. However, I will say that I called his attention to the matter, but the bill had already been reported by the committee, and he suggested that I offer the amendment on the floor of the Senate. I therefore offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 7, before the word "thousand," it is proposed to strike out "fifty" and insert "sixty," so as to make the bill read:

*Be it enacted, etc.,* That the limit of cost fixed by the act of Congress approved May 30, 1908, for the erection of a public building at Missoula, Mont., be, and the same is hereby, extended from \$115,000 to \$160,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, January 25, 1909, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate January 22, 1909.*

##### UNITED STATES DISTRICT JUDGE.

Rufus E. Foster, of Louisiana, to be United States district judge for the eastern district of Louisiana, vice Eugene D. Saunders, whose resignation has been accepted to take effect upon the appointment and qualification of his successor.

##### APPOINTMENTS IN THE NAVY.

To be second lieutenants in the United States Marine Corps from the 20th day of January, 1909, to fill vacancies existing in that grade on that date:

Roy S. Geiger, United States Marine Corps;  
Ernest C. Williams, United States Marine Corps;  
Richard H. Tebbis, jr., a citizen of Virginia;  
Pere Wilmer, a citizen of Maryland;  
Ernest V. B. Douredoure, a citizen of Pennsylvania;  
Robert E. Messersmith, a citizen of Pennsylvania;  
Frank L. Martin, a citizen of Pennsylvania; and  
George W. Van Hoose, jr., a citizen of Alabama.

##### POSTMASTERS.

##### ALABAMA.

James L. Davis to be postmaster at Lafayette, Ala., in place of James L. Davis. Incumbent's commission expires February 27, 1909.

##### ARKANSAS.

A. B. Lippman to be postmaster at Augusta, Ark., in place of Edward E. Blackmon. Incumbent's commission expired January 20, 1909.

George B. Miles to be postmaster at Des Arc, Ark. Office became presidential January 1, 1909.

Charles H. Tisdale to be postmaster at Hazen, Ark., in place of Charles H. Tisdale. Incumbent's commission expired January 18, 1909.

##### CALIFORNIA.

Presentation M. Soto to be postmaster at Concord, Cal., in place of Presentation M. Soto. Incumbent's commission expired December 10, 1906.

##### GEORGIA.

Lewis R. Farmer to be postmaster at Louisville, Ga., in place of Lewis R. Farmer. Incumbent's commission expired December 13, 1908.

Walter M. Quinn to be postmaster at Whigham, Ga. Office became presidential October 1, 1908.

Claude E. Smith to be postmaster at Carrollton, Ga., in place of Jennie B. Smith. Incumbent's commission expired January 19, 1909.

##### ILLINOIS.

Wallace Diver to be postmaster at Dallas City, Ill., in place of Wallace Diver. Incumbent's commission expires March 1, 1909.

##### INDIANA.

Herman Schumacher to be postmaster at Newburg, Ind. Office became presidential January 1, 1909.

##### IOWA.

Robert A. Gardner to be postmaster at West Point, Iowa. Office became presidential January 1, 1909.

William D. Jacobsen to be postmaster at Lyons, Iowa, in place of William D. Jacobsen. Incumbent's commission expires January 27, 1909.

Roscoe C. Saunders to be postmaster at Manilla, Iowa, in place of Roscoe C. Saunders. Incumbent's commission expires March 1, 1909.

Fred B. Wolf to be postmaster at Pringhar, Iowa, in place of Jacob H. Wolf. Incumbent's commission expires February 8, 1909.

##### KANSAS.

Esther C. Colin to be postmaster at Argonia, Kans. Office became presidential January 1, 1909.

Frank W. Elliott to be postmaster at Edna, Kans., in place of Frank W. Elliott. Incumbent's commission expired January 9, 1909.

William A. Hillhouse to be postmaster at Glasco, Kans., in place of William A. Hillhouse. Incumbent's commission expired January 9, 1909.

Benson L. Mickel to be postmaster at Soldier, Kans. Office became presidential January 1, 1909.

Etta M. Townsend to be postmaster at Englewood, Kans. Office became presidential October 1, 1908.

##### LOUISIANA.

Edward I. Hall to be postmaster at Jennings, La., in place of Edward I. Hall. Incumbent's commission expired December 12, 1908.

Adah Rous to be postmaster at Lake Providence, La., in place of William Rous. Incumbent's commission expired January 19, 1909.

##### MASSACHUSETTS.

Charles W. Bemis to be postmaster at Foxboro, Mass., in place of Charles W. Bemis. Incumbent's commission expires February 23, 1909.

##### MINNESOTA.

Peter J. Schwarg to be postmaster at Dodge Center, Minn., in place of Peter J. Schwarg. Incumbent's commission expires February 23, 1909.

##### MISSOURI.

Z. P. Caneer to be postmaster at Senath, Mo. Office became presidential January 1, 1909.

Leonard D. Kennedy to be postmaster at Frankford, Mo. Office became presidential January 1, 1909.

William E. Templeton to be postmaster at Excelsior Springs, Mo., in place of William E. Templeton. Incumbent's commission expired January 20, 1909.

##### MONTANA.

Edward L. Fenton to be postmaster at Laurel, Mont. Office became presidential January 1, 1909.

Grace Lamont to be postmaster at Dillon, Mont., in place of Grace Lamont. Incumbent's commission expired January 21, 1909.

E. B. Thayer to be postmaster at Columbus, Mont., in place of Henry I. Grant, resigned.

## NEVADA.

Amelia E. Roth to be postmaster at Virginia City, Nev., in place of Amelia E. Roth. Incumbent's commission expires February 27, 1909.

## NEW HAMPSHIRE.

Adelia M. Barrows to be postmaster at Hinsdale, N. H., in place of Adelia M. Barrows. Incumbent's commission expires February 3, 1909.

## NEW YORK.

George W. Armstrong to be postmaster at Manlius, N. Y., in place of George W. Armstrong. Incumbent's commission expires February 23, 1909.

Arthur B. Burrows to be postmaster at Andover, N. Y., in place of Arthur B. Burrows. Incumbent's commission expires January 30, 1909.

Charles W. Clark to be postmaster at Oriskany Falls, N. Y., in place of Charles W. Clark. Incumbent's commission expired January 20, 1909.

Frederic H. Coggeshall to be postmaster at Waterville, N. Y., in place of Ebenezer Evans. Incumbent's commission expires January 30, 1909.

Herbert J. Rouse to be postmaster at Cazenovia, N. Y., in place of Herbert J. Rouse. Incumbent's commission expired January 14, 1909.

Judson S. Wright to be postmaster at Tully, N. Y., in place of Judson S. Wright. Incumbent's commission expires February 9, 1909.

## NORTH CAROLINA.

Lossing L. Wrenn to be postmaster at Siler City, N. C. Office became presidential January 1, 1908.

## NORTH DAKOTA.

Walter A. Stafford to be postmaster at Velva, N. Dak., in place of Walter A. Stafford. Incumbent's commission expired January 4, 1908.

## OHIO.

Gomer C. Davis to be postmaster at Shawnee, Ohio, in place of Gomer C. Davis. Incumbent's commission expires February 23, 1909.

Granville W. Springer to be postmaster at Crooksville, Ohio, in place of Granville W. Springer. Incumbent's commission expired January 11, 1909.

Joseph R. Taber to be postmaster at Canfield, Ohio. Office became presidential January 1, 1909.

## OKLAHOMA.

N. W. Hibbard to be postmaster at Kiefer, Okla. Office became presidential April 1, 1908.

## PENNSYLVANIA.

Alfred R. Houck to be postmaster at Lebanon, Pa., in place of Alfred R. Houck. Incumbent's commission expires February 23, 1909.

## SOUTH DAKOTA.

Boyd Wales to be postmaster at Howard, S. Dak., in place of Boyd Wales. Incumbent's commission expired March 10, 1907.

## WISCONSIN.

John W. Benn to be postmaster at Medford, Wis., in place of Nettie J. Danielson, resigned.

George Green to be postmaster at Loyal, Wis. Office became presidential January 1, 1909.

Joseph M. Garlick to be postmaster at Independence, Wis. Office became presidential January 1, 1909.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 22, 1909.*

## CONSULS.

Thomas E. Heenan, of Minnesota, to be consul of the United States of class 5 at Warsaw, Russia.

Percival Heintzleman, of Pennsylvania, to be consul of the United States of class 6 at Chungking, China.

Edward D. Winslow, of Illinois, to be consul of the United States of class 8 at Gothenburg, Sweden.

Albert W. Pontius, of Minnesota, to be consul of the United States of class 8 at Swatow, China.

## INDIAN INSPECTOR.

Will M. Tipton, of Los Angeles, Cal., to be an Indian inspector.

## NAVAL OFFICER OF CUSTOMS.

Walter T. Merrick, of Pennsylvania, to be naval officer of customs in the district of Philadelphia, in the State of Pennsylvania.

## PROMOTIONS IN THE ARMY.

## MEDICAL CORPS.

Lieut. Col. William W. Gray, Medical Corps, to be colonel.  
Maj. Henry I. Raymond, Medical Corps, to be lieutenant-colonel.

## COAST ARTILLERY CORPS.

Lieut. Col. William R. Hamilton, Coast Artillery Corps, to be colonel.

Maj. Adelbert Cronkhite, Coast Artillery Corps, to be lieutenant-colonel.

Capt. Frank E. Harris, Coast Artillery Corps, to be major.

## POSTMASTERS.

## ARKANSAS.

Hiram F. Butler to be postmaster at Warren, Ark.

W. M. Howard to be postmaster at Paris, Ark.

Edgar E. Hudspeth to be postmaster at Nashville, Ark.

Winnifred Hunsucker to be postmaster at Dermott, Ark.

## CALIFORNIA.

Frank H. Bangham to be postmaster at Susanville, Cal.

Peter J. McFarlane to be postmaster at Tehachapi, Cal.

Samuel G. Watts to be postmaster at East Auburn, Cal.

## COLORADO.

Ira L. Herron to be postmaster at Longmont, Colo.

## GEORGIA.

Hattie F. Gilmer to be postmaster at Toccoa, Ga.

## IDAHO.

F. Beckman to be postmaster at Troy, Idaho.

## KENTUCKY.

Homer B. Bryson to be postmaster at Carlisle, Ky.

Robert L. Oelze to be postmaster at Cloverport, Ky.

## MICHIGAN.

Aaron Cornell to be postmaster at Elkton, Mich.

Jennie Vaughan to be postmaster at Baraga, Mich.

## MINNESOTA.

Aaron R. Butler to be postmaster at Bagley, Minn.

James M. Diment to be postmaster at Owatonna, Minn.

Ole C. Requam to be postmaster at Belgrade, Minn.

Fred D. Vibert to be postmaster at Cloquet, Minn.

## MISSOURI.

John H. Harris to be postmaster at Lockwood, Mo.

Cord P. Michaelis to be postmaster at Cole Camp, Mo.

## NEW JERSEY.

Harry Bacharach to be postmaster at Atlantic City, N. J.

## NEW YORK.

Isaac Decker to be postmaster at Williamson, N. Y.

Joseph F. Stephens to be postmaster at Highland Falls, N. Y.

## PENNSYLVANIA.

Michael K. Bergey to be postmaster at Souderton, Pa.

## SOUTH CAROLINA.

Thomas Hester to be postmaster at Gaffney, S. C.

## SOUTH DAKOTA.

Alvah T. Bridgman to be postmaster at Springfield, S. Dak.

## UTAH.

Charles A. Guilwits to be postmaster at Price, Utah.

George H. Richards to be postmaster at Sunnyside, Utah.

## VERMONT.

Emeroy G. Page to be postmaster at Hydepark, Vt.

Lewis A. Skiff to be postmaster at Middlebury, Vt.

Edward C. Woodworth to be postmaster at Arlington, Vt.

## VIRGINIA.

Thomas L. Rosser to be postmaster at Charlottesville, Va.

## WISCONSIN.

Oliver W. Babcock to be postmaster at Omro, Wis.

Charles S. Button to be postmaster at Milton Junction, Wis.

James B. Weaver to be postmaster at Pewaukee, Wis.



## HOUSE OF REPRESENTATIVES.

FRIDAY, January 22, 1909.

The House met at 12 o'clock m.  
Prayer by the Chaplain, Rev. Henry N. Couden, D. D.  
The Journal of the proceedings of yesterday was read and approved.

## ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that bills on the Private Calendar—pension bills—in order to-day, be in order to-morrow immediately after the reading of the Journal; that is, that to-morrow be substituted for to-day for that purpose.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that bills on the Private Calendar—pension bills—shall be in order to-morrow in lieu of to-day. Is there objection?

There was no objection, and it was so ordered.

## INDIAN APPROPRIATION BILL.

Mr. SHERMAN, from the Committee on Indian Affairs, reported the bill (H. R. 26916) making appropriations for the current and contingent expenses of the Indian department, for fulfilling treaty relations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1910, which was read a first and second time and, with the accompanying report (H. Rept. No. 1897), referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from New York reserves all points of order on the bill.

## NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 26394, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. MANN in the chair.

The CHAIRMAN. The pending proposition is the amendment offered by the gentleman from South Carolina [Mr. FINLEY], which, without objection, the Clerk will again report.

There was no objection, and the Clerk read as follows:

Page 59, line 7, after the word "constructed," strike out all down to and including line 12.

Mr. FOSS. Mr. Chairman, I would like the attention of the committee for a moment. We have reached that portion of the bill relating to the increase of the navy, and the first paragraph provides for the construction of two first-class battle ships. I understand that there is a desire on the part of some Members for a little debate, and I am going to ask unanimous consent that we have debate upon this proposition for one hour; one half to be controlled by some gentleman in opposition to the recommendation of the committee and the other half to be controlled by the chairman of the committee, and that then we come to a vote upon the paragraph and all amendments thereto.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that debate on the pending paragraph and all amendments thereto be limited to one hour, to be equally divided between those in favor of the paragraph and those opposed to the provision in the bill; one half to be controlled by the gentleman from Illinois, and the other half by some gentleman in opposition thereto.

Mr. KEIFER. Mr. Chairman, reserving the right to object, I want to ask this question: Whether or not there are not two classes of Members who are opposed to this provision in the bill, one those who want to strike out or reduce and another to increase?

Mr. FOSS. I think not. There are only those who are opposed and those who are in favor of the committee proposition, so far as I have been able to learn.

The CHAIRMAN. Is there objection?

Mr. BARTHOLDT. Mr. Chairman, reserving the right to object, I should like to ask the chairman of the committee whether it would not be possible to extend the time to two hours. I know myself of four or five gentlemen who wish to talk on this battle-ship proposition, and it will be impossible for them to be heard if only thirty minutes on a side would be permitted.

Mr. FOSS. Mr. Chairman, we have a number of very important matters in this bill ahead, and it is my desire to get

through to-day, if it is possible; but if we increase the time, as the gentleman suggests, we will not be able to do it, and I think most of the Members have made up their minds upon this proposition, and I doubt very much whether general discussion would change the vote if it were taken at this time. I am very anxious that we should proceed, in view of the fact that there are other very important matters ahead—

Mr. GRIGGS. Mr. Chairman, I object. I call for the regular order.

The CHAIRMAN. The gentleman from Illinois asks for unanimous consent, as stated by the Chair, for one hour debate on this paragraph. Is there objection?

Mr. GRIGGS. I object.

The CHAIRMAN. Objection is heard. The question is on the amendment offered by the gentleman from South Carolina.

Mr. FOSS. Now, Mr. Chairman, I would suggest an hour and a half to be equally divided—

Several MEMBERS. Make it two hours.

Mr. FOSS. Then, I do not think we can get through with the bill to-day.

The CHAIRMAN. Is there objection?

Mr. GRIGGS. I object.

Mr. HEPBURN. Mr. Chairman, I would like to ask the parliamentary situation of this matter. Suppose this request is not granted; will there not be debate on the proposition, and will not that continue until the committee directs it be closed?

The CHAIRMAN. If the request of the gentleman be not granted, of course debate will continue so long as it may under the rules of the House.

Mr. HEPBURN. I object, then.

The CHAIRMAN. Objection has already been made.

Mr. CLARK of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. Unless a motion like the gentleman has made, or some similar motion, prevails, nobody can speak more than five minutes?

The CHAIRMAN. Nobody can speak more than five minutes, except by unanimous consent.

Mr. CLARK of Missouri. It seems to me the sensible thing to do is to agree as to time.

The CHAIRMAN. The Chair understands there is objection.

Mr. BARTLETT of Georgia. Yes; lots of it.

Mr. FOSS. Now, Mr. Chairman, I will ask unanimous consent to extend the time of debate to two hours.

The CHAIRMAN. The gentleman from Illinois amends his request and asks unanimous consent that debate upon the pending paragraph, and all amendments thereto, be limited to two hours, one half of the time to be controlled by the gentleman from Illinois and the other half to be controlled by some one in opposition. Is there objection?

Mr. MACON. Mr. Chairman, I will state that the gentleman from South Carolina offered the amendment, and it seems to me that he should be allowed to control the time in favor of the amendment. The gentleman from South Carolina [Mr. FINLEY] offered the amendment.

Mr. GRIGGS. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. FINLEY] be allowed to control the time in favor of the amendment.

The CHAIRMAN. Will the gentleman from Illinois incorporate in his request the suggestion offered by the gentleman from Georgia, that one-half of the time be controlled by the gentleman from South Carolina [Mr. FINLEY]?

Mr. FOSS. I will.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. Without objection, the Clerk will again report the pending amendment.

There was no objection.

The Clerk read as follows:

On page 59, line 7, after the word "constructed," strike out the remainder of the paragraph down to and including line 12.

Mr. DOUGLAS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DOUGLAS. What is the effect of that amendment? We can not judge.

The CHAIRMAN. That is not a parliamentary inquiry. The gentleman from Illinois.

Mr. FITZGERALD. Mr. Chairman, I suggest that the gentleman from South Carolina is first entitled to recognition. I suggest that the gentleman who proposed the amendment is first entitled to recognition.

The CHAIRMAN. Oh, the gentleman from Illinois in charge of the bill is entitled to recognition.

Mr. FOSS. Mr. Chairman, I suggest that the gentleman from South Carolina go ahead and explain his amendment.

Mr. FINLEY. Mr. Chairman, I yield fifteen minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Chairman, if there ever was a time in our history when preparations for war and further increases of armaments are both unwise and unnecessary, it is the present; unwise because the normal annual expenditures in the national household now exceed the revenues by considerably more than \$100,000,000, and unnecessary because we are not only at peace with all the world, but, what is more, we have wisely managed to safeguard our peace as it had never been safeguarded before. Hence every consideration of prudence and patriotism points to the present as the most propitious time to pause, temporarily at least, in our vast expenditures for so remote an eventuality as war.

We are all agreed that if our country were in any immediate danger of a foreign invasion or of war with a foreign foe no sacrifice would be too great for us to make for our defense. To raise money, we would issue bonds and, if needs be, mortgage our homes for that purpose; in fact, this mighty Nation, rising in its own defense, would be a spectacle of patriotic self-sacrifice such as the world has never witnessed before.

In such a crisis we would justly scorn financial considerations or even deficits in the Treasury, for in the face of national danger all other interests must be subordinated to the one paramount duty, the national defense. I will even go further, and say that if there were but a well-authenticated probability of any foreign complications preparations to obey the law of self-defense would still be in order. But at a time when there is no more probability of war than there is of lightning striking our houses at this season of the year—and I shall give my reasons for this assertion—at such a time, I claim, we have no moral right to run the Government into debt in order to pay for totally unnecessary increases of the implements of war. Before flattering national vanity by increasing the navy beyond the requirements of effective national defense I hold it to be our bounden duty to provide for the necessities of the peaceful development of the country and to subordinate the unreasonable demands of the jingo to the obligations which the Government owes to the peaceable citizen and taxpayer.

And as not one of us, Republican or Democrat, can furnish to his constituents a valid excuse for government expenditures in excess of government revenues, except in time of war, this duty becomes the more patent to all.

When I came to Congress sixteen years ago the navy cost us about \$22,000,000 annually. This year's budget calls for over one hundred and thirty-five millions. While in that same period of time the population has increased only about 35 per cent, naval expenditures have increased over 600 per cent. These figures show that we have already gone back on the traditions handed down to us by the founders of the Republic, which teach us to rely for national safety upon our inherent strength, our righteousness, and our sense of justice, and that instead we have accepted the false theory through which monarchs from time immemorial have filched money from the pockets of their people, namely, the theory that armaments and man-killing machineries alone can vouchsafe security and peace. Do not the figures I have just cited bear out this assertion? And have we not actually been told time and again that a big navy is the best guaranty of peace? It is false, I say again, and our own history proves it to be false. Why was it that we enjoyed both peace and immunity from attack when we had no navy at all? Does it not dawn upon those who are misled by that fallacy and who constantly shout for more arsenals and more battle ships that, after all, there might have been something besides the big stick that deterred either Europe or Asia from invading this Republic of free men? Was not safety rather to be found in our isolated position, our numbers, our limitless resources, our love of peace and justice, our stout hearts, and in the patriotism born of liberty? [Applause.]

But let us for an instant meet on common ground. Let us admit, for argument's sake, a powerful navy to be the only real guaranty of our security. How many battle ships would we have to build to be absolutely secure? Certainly more than any other one nation, and in fact more than all other nations combined; for if naval armaments are to be the only safeguard of a nation's peace, we would be in constant danger of being overawed, because our big stick is not as big as all the other big sticks combined. Is not this the true logic of the plea for a bigger navy? And if it is, then all those who believe in the peace-promoting mission of the fleet would be forced to the conclusion that true patriotism requires the immediate construction, not of two, but of at least a hundred, *Dreadnoughts*. The fact, however, that they are willing to content themselves with two amounts to an abandonment of their own theory and is a practical admission that our safety rests on a better, securer

foundation than mere iron clads, and one which our navy boomers quite evidently rely on themselves. From their view point two additional ships can not possibly afford adequate protection; and if, nevertheless, they are satisfied with this increase, we have a right to conclude that it makes no difference whether we build two more ships or none at all. Either course would be inconsistent with and contrary to the theory that the peace and tranquillity of the United States depends upon battle ships alone. If we are not to be entirely burglar proof until our navy equals that of Great Britain, or, in fact, the navies of all nations combined—and that is and must be the contention of our friends, the navy boomers—then it is immaterial whether we have two iron clads more or less at this time, because we are insecure in any event.

There is but one consistent course to be taken in this emergency. It is to refuse all unreasonable demands for additional armaments. Such a course will be consistent, in the first place, with American traditions; it will also be consistent with the enlightened sentiment of the world, and it will be consistent with our own professions, as well as with the actual situation.

The sentiment of the people everywhere is for peace and not for war, and that sentiment is stronger than you and I realize. The governments, too, seem willing at last to heed the voice of the people. As proof I point to The Hague conferences, the pan-American conferences, the many arbitration treaties, to the official recognition willingly accorded by the governments to the Interparliamentary Union, that world organization of lawmakers which aims to substitute arbitration and judicial decisions for war, and last, but not least, to the fact that, in spite of the recent political upheavals in the Balkans, peace has been maintained. There was a time, and it was true up to a few years ago, that you could not strike a match in the European Orient without causing a terrific explosion, and what has happened there recently? Turkey has had a bloodless revolution, resulting in a new era of constitutional government; Austria quietly annexed the Turkish provinces of Bosnia and Herzegovina; and the Servians declared their political independence; and all this without the shedding of a drop of human blood, when, ten years ago, either one of these events would have been sure to cause a world conflagration. What is it? Say what you please, but in my judgment it is the progressive thought and enlightenment of the people, the growing sentiment in favor of enduring peace, and the fear of the great military powers, because of that sentiment, to put their war machinery in motion. It seems almost as if in the incredibly short period of ten years a transition had taken place, as if the world had suddenly emerged, in this respect at least, from a state of semi-barbarism and risen to a higher civilization, in the light of which rulers are either afraid or ashamed to draw the sword and prefer to keep the peace by resorting to arbitration or appealing to the courts established by international agreements. Certain it is that a new era has dawned and that the increased armaments which followed the First Hague Conference, and to which my friend from Illinois [Mr. Foss] so frequently refers, merely mark the last flickering up of the halo of the old system, a system, however, which is doomed to oblivion, doomed to give way to that new order of things which will recognize a legalized machinery of justice, instead of brute force, as the only legitimate means of settling international controversies.

Look at the wonderful change wrought within the last few years in our own country and its relations with the outside world. Thanks to the wisdom and energy of Secretary Root, we have concluded arbitration treaties with about 20 countries of America, Europe, and Asia. We have been relieved as a result of the Second Hague Conference of our real or fancied responsibilities with regard to the debts of the Latin-American countries, inasmuch as it was agreed at The Hague, all powers consenting, that contractual debts shall no longer be collectible by force. More than that, we have an understanding with Japan which, in my judgment, will go down into history as one of the greatest achievements of the present administration. In the course of the remarks I submitted on the battle-ship question at the last session I used this language:

Unless we are all in ignorance as to the true situation—and it is incredible that the Mikado's diplomatic representatives should misrepresent it to us—a simple agreement to arbitrate differences and to mutually guarantee territorial integrity and undisputed home sovereignty would effectually dispose of the Japanese question for all time to come, and not a single battle ship will be needed to secure the benefits of such a treaty.

While our understanding with Japan—or call it agreement or declaration of principles, or anything else—does not go quite as far as I then indicated, it surely carries with it the guaranties of amity and good will, and forms the basis upon which peace between the two nations can be maintained. The situation regarding the Philippines has also been cleared. The fact



of this outside possession of the United States has constantly been used as an argument for a bigger navy; but it is now clear that neither a European power nor Japan wants these islands, and our understanding with the Government of the Mikado covers this very point. From this brief review of the situation it appears that war involving this country is a much more remote possibility to-day than it ever was before.

Now, as to the latest scare about a possible war with Japan. Does it not strike the Members of this House as a most peculiar coincidence that every time we consider the naval appropriation bill there suddenly appears the handwriting on the wall picturing a war? Is it merely an accident that on the very day when we were expected to vote on battle ships the morning papers reproduce, with glaring headlines and in double-headed type, the opinion of a New York editor, whose views otherwise they so frequently discredit and whose California interests are too well known to need any comment here? The President of the United States has, with praiseworthy foresight, repudiated in advance and on behalf of the Nation whatever action the California legislature may take with respect to the so-called "Japanese bills." Hence Japan can not, and I am sure will not, hold the American Nation responsible for whatever the legislature of a single State may do, no more than the British Government would hold us responsible for resolutions of mass meetings of Irish-American citizens denouncing England. The trouble between California and Japan can never be settled by war, because war never settles a question of right or wrong. It must be a question of the deepest concern to us, however, to find some way by which the supremacy of the Nation and its foreign policies can be maintained as against the rights of individual States. In other words, national obligations must be made as binding upon each state government as they are upon the National Government, and as sacred in their observance as the provisions of the Constitution itself. It is therefore really an American question, and one to be adjudicated by ourselves; and this being well understood all over the world, no sane nation will go to the length of declaring war upon us on account of it. Some of them may refuse to negotiate arbitration treaties with us because of the sovereign rights of the separate States, but they will no more dream of drawing the sword because of petty grievances arising from this situation than they would ever interfere with our international affairs. If a single State could coerce the National Government to make a state question a concern of the Government and to defend the action of a State, right or wrong, the case would, of course, be different; but in the determination of so grave a question as war, all governments are guided and controlled by the attitude of the responsible government and not by that of its press and its component parts.

And as long as Japan is satisfied as to the correct and friendly attitude of the Government at Washington, no amount of jingo talk by the press or individuals will ever drive her into a bloody conflict with the United States. It is even unnecessary to call attention to the fact that our naval strength is double that of Japan to-day.

Mr. Chairman, on the pending question I shall vote in accordance with my conscientious convictions, and shall refuse to be influenced by either fear or intimidation. [Applause.]

[During the delivery of the above remarks the time of Mr. BARTHOLDT expired.]

Mr. BARTHOLDT. Can I have five minutes more?

Mr. FINLEY. I am afraid I will not be able to yield the gentleman any more, as all the time has been allotted.

Mr. BARTHOLDT. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FINLEY. I will ask the gentleman from Illinois to consume some of his time now.

Mr. FOSS. I will ask if any gentleman on this side desires to occupy any time in support of the provision in the bill? No one seems to desire to be heard in favor of the proposition, so I will suggest to the gentleman from South Carolina that he go ahead.

Mr. TAWNEY. I desire to ask the gentleman from Illinois if he intends to use all the time in one speech; if not, the other side should occupy some of its time now.

Mr. FOSS. I do not think we will consume all of our time. I would like to ask, Mr. Chairman, if there is anyone who desires to speak in favor of the two battle ships on this side?

Mr. WALDO. A little later on I would like to have a few minutes, but not at the present.

Mr. FOSS. No one on this side now seems to desire to speak at this time.

Mr. TAWNEY. I submit that in order that this debate may proceed in an orderly way that the gentleman should consume some of his time.

Mr. FINLEY. I would like the gentleman from Illinois to repeat his statement.

Mr. FOSS. I will now yield five minutes to the gentleman from New York.

Mr. WALDO. Mr. Chairman, if I understand the purpose of this amendment, it is to end the present policy of the United States of keeping a navy that will permit us to rank with the great naval powers of the world. It is a policy that we started upon quite a good many years ago; it is a policy that permitted us to succeed in the war with Spain; it is the policy to-day that makes the United States respected and its citizens sure of protection in all parts of this world. It seems to me that at this time, when we are hardly fairly started upon our programme to have a navy equal to any nation, that we should not call a halt. It is very pleasant to talk about peace and prosperity, but in this world no nation has peace or prosperity that is not able to defend itself.

The moment that we cease our naval programme our navy is on the way to decay. Naval ships only last a few years, and still fewer years do they remain equal to the naval improvements of other great powers. If we desire to protect our country; if we desire that our citizens be protected abroad; if we desire that our country shall continue to be respected as one of the great powers, we must continue our naval programme; we should vote against this amendment and see that at least two battle ships are ordered at this session of Congress.

Mr. FOSS. Mr. Chairman, I should like to inquire if there is any other gentleman who desires to speak now in favor of the two battle ships? If not, I suggest that my friend go ahead on the other side.

Mr. FINLEY. I yield five minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I wish to strike from this measure the pretense that a nation is prepared for war in order to preserve peace; the mask that, consciously or unconsciously, hides the real spirit of warlike ambition; the pretense that has prevailed among men from time immemorial.

It was the pretense under which the nations of the East, before the time of Alexander, invaded the nations of the West. It was done, they said, to check the growing spirit of aggression in the West. It was the pretense under which Alexander invaded Asia. He wished, he said, to forestall all future invasions by the Asiatics. It was the pretense under which the fortified castles of the middle ages were erected, the barons armed against each other, and perpetual warfare was carried on. This condition grew so fearful that men almost forgot the peaceful avocations of life, while each nobleman increased the thickness of his castle wall, the weight of his cannon or battering-ram, and the number and strength of his armor retainers, until the church, to prevent all peace from taking its flight from among the peoples who professed to be the followers of the tender gospel of Christ, proclaimed, as I remember it, "The truce of God," in order that there might be one day in the week in which the owners of castles might rest and remain safely at home and the armored knights should not engage in foraging expeditions against their neighbors. Lords built castles, barons and knights buckled on armor, armies were marshaled, and nations bathed in blood and fire in the name of peace.

The war of the Dutch Republic, when the Spanish soldiery invaded the country, was waged by the invaders in the name of the Prince of Peace; so also were all the crusades, which extended over a period of three hundred years and were marked by a spirit of bloodthirstiness never surpassed, launched in the love of God and righteousness, and the children's crusade, the crowning cruelty of all the ages, was the joint product of human ambition and the preaching of righteousness and peace.

We saw that also in modern times in our communities, when it was thought that every citizen should have the right to carry a pistol about his person, and in my State the horseman carried it hung to the horn of his saddle, and the footman carried it swung around his waist, and no man was expected to go about unarmed until the law said that we should disarm all citizens, and peace substantially followed. I want to say that since the time when Constantine the Great, at the head of his army, claimed that he saw the shadow and the sign of the cross in the sky, these claims have been false pretenses, and we should strike the mask from the pretense under which we arm for war while we claim we arm for peace. [Applause.]

Not only that, but all these military preparations have hung themselves like millstones around the industries of the people. In the day of small production the lord carried his feudal sub-

jects with him to the field, while the women worked at home to produce the meager necessities to support life. How they lived at all in those days and supported such vast armies God only knows, but we do know that they lived hard, with half the bare necessities of healthy life supplied and in virtual slavery. And we do know that a Louis XIV in France so multiplied the burdens of his people in order, as he claimed, by the greatness of his power, to make that power feared and to deter the other nations from attacking him or thwarting his plans, that while he filled his land with martial pageantry and wrote glory large for more than a half century of his reign, he wrote shame at the end of it, and for his successors sowed the seeds of a revolution that shook all the nations of the earth. In this advanced age, when production has increased to such an extent that one-fifth of our population might support the balance, with improved machinery, we must devise some means by which we can hang this millstone of war expenditure around our people's neck again, and we devise great battle ships, under which, as the gentleman from Missouri [Mr. BARTHOLOTT] has said, we are spending to-day \$135,000,000 for a navy, whereas when he came into the House sixteen years ago \$20,000,000 was sufficient.

The time will soon come, if the rush of progressive increase is continued, when \$250,000,000 will be required annually to keep up this increasingly heavy and heavier burden of the navy. Our Government ought to keep abreast of the times, ought to be continually building some vessels, in order that we may keep posted as to the latest improvements in naval warfare; but we have 6 underway now, and in ten years' time the repairs and changes on the vessels we have in the navy will cost more than it costs to build 4 ships a year to-day. If we could have another Roosevelt, and Congress should accede to his requests, at the end of another eight years' term we would perhaps be spending \$400,000,000 per annum on the navy alone. If our navy as we have it were placed upon the Pacific Ocean, the only cloud in the sky of peace would be successfully dissipated. In my opinion, the European nations contemplate war only with horror, because they are advanced and civilized, and have not the thirst of blood. Possibly the Japanese nation to-day, in its youthful resurrection from a long sleep of inaction, would lose their balance and plunge into war, though I do not believe it. If that be the case, we are prepared against them without further expenditure, for we have a greater navy than they have themselves.

We must not forget that the building of a navy never ends. It takes three to four years to build a battle ship, and it is not completed before repairs and changes begin. In about ten years it is likely to be unseaworthy or antiquated or supplanted by a more efficient fighting machine. We are feeding the hunger and stimulating the thirst for war and learning to boast and glory in our power, while we are piling high the burden of debt for war in anticipation even as Louis XIV did for war in fact.

Mr. Chairman, since 1812 there has been no threat or fear or probability of any foreign invasion of the United States. The Monroe doctrine, the most aggressive and self-assertive policy our Nation ever adopted toward foreign nations, was established with scarce a sea force sufficient to be called a "navy." Our limitless resources are known, and in themselves are stronger to deter any nation from striking us than a far larger navy would be to prevent the striking of any weaker nation. Till now also our national love of justice and peace, known of all men, has been a tower of strength to us among the nations of the earth. May God forbid that we should ever take on the pride of the war lord or become with our navy the swaggering bullies of the sea.

Mr. FINLEY. I suggest that the gentleman from Illinois now use some of his time.

Mr. FOSS. Mr. Chairman, there seems no one on this side who wishes to speak, except myself, and I claim the right to close the debate.

Mr. FINLEY. Then I will yield fifteen minutes to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Chairman, with a navy greater than any in the world except the English navy, and with an enormous deficit in our revenues, I sincerely hope this amendment striking out the authorization for two battle ships will prevail. If it is adopted, it does not necessarily mean we have changed our naval policy, except in respect to the number and size of ships we will authorize this year, for we have no settled policy in this respect. In the very nature of the case we can not have, for in the matter of naval construction each succeeding Congress necessarily determines for itself the number, size, and cost of naval vessels it will authorize. The next Congress, if it sees fit to do so, can provide for two, or as many battle ships as, in its judgment, is necessary and as the revenues of the Govern-

ment will permit. I want to make it clear that I do not favor the amendment because I am opposed to providing all of the means necessary for our national defense; I favor the amendment because I do not at this time deem it necessary to add to our navy two of the greatest battle ships the world has ever seen, merely to gratify our ambition to excel all other nations in the world in the matter of competitive naval shipbuilding.

For, Mr. Chairman, the country can not escape the conclusion, when it analyzes our situation in respect to our national defense, that there is no real necessity for this very large expenditure of the public money at this time, and that the principal reason for the authorization is an ambition on our part to excel other nations in the matter of naval shipbuilding. This is not alone true of ourselves, but is also true of other nations. A year ago, speaking on the naval budget, the prime minister of England, Mr. Asquith, said:

We do not wish to take the lead, but we want to do everything in our power to prevent a new spurt in competitive shipbuilding between the great naval powers.

In my judgment, we should emulate the example of our sister nation, Great Britain, and strive to check this tendency among the naval powers to excel in naval shipbuilding. In reading the report of the Committee on Naval Affairs, I find that one of the arguments in support of the recommendation for these two large ships—the largest vessels that ever have been built—is that during the past year the policy of building battle ships of large displacement and high speed has been the policy of other nations.

I have always contended, Mr. Chairman, that we are not justified in determining the size of our navy by the size of other navies, but that the size of our navy should be governed by what is necessary for our national defense, taking into consideration our geographical isolation. And yet it is a fact we should not lose sight of in considering this question that we have to-day a navy which in point of efficiency and in tonnage is second only to one, and that is the navy of Great Britain. From the standpoint, then, of gratifying an ambition to equal, if not excel, other nations in the size of our navy we do not need these two enormous battle ships—enormous in size and enormous in cost—for in size and efficiency our navy is larger than that of any other except the English navy.

In the annual report of the Secretary of the Navy, dated November 30, 1908, it appears that—

During the past year the policy of building battle ships of large displacement and high speed, with main battery guns of the largest caliber, has been universally continued, and all navies are now engaged in or have authorized the construction of such vessels.

And no other argument is advanced in support of the recommendation of the Secretary or of the committee.

It matters not, so far as I am concerned, how many naval vessels other nations, not situated as we are, may construct. We should now determine the question whether or not we at this time should authorize the construction of two of the largest vessels that have ever been launched, in addition to those we now have, independent of what other countries may deem necessary for their defense.

Mr. Chairman, there is a good reason, one perhaps sufficient, to justify the increase in the number and size of vessels of some foreign countries, but it is one that does not apply to us. Take, for example, France, England, and Germany; either can strike the other within a few hours and use their home as a base from which to operate. They are independent nations, having diverse and conflicting interests at home and abroad. If there is any menace to their peace, it is this conflict of interest and this close proximity that causes it and makes it necessary for each of these countries to be prepared to meet the other in war at any time. But we are altogether differently situated. In addition to our navy and in addition to our sea-coast fortifications, we have that which is worth as much to us as a means of national defense as all the navies of the world. We have two oceans, on either side of us, giving us a geographical isolation that is of more value to our defense than all the navies we could build. It is this wide ocean expanse on the east and on the west of us that is entirely ignored in urging the need and extension of our navy beyond anything enjoyed by any other nation.

Why, Mr. Chairman, we hear a great deal at this particular time about the possibility of war with Japan. I am getting somewhat tired of these annually recurring wars with Japan. They are always simultaneous with the consideration of the naval appropriation bill in this House. [Laughter and applause.] During every other week and month in the year we are told our relations with Japan are the most friendly and cordial, but when we come to consider the naval appropriation bill the newspapers are filled with predictions of what may happen



in the future between the United States and Japan. It is a remarkable coincidence that we never hear of war with any country except when we are considering the provisions of this naval bill. Mr. Chairman, it was only a few days ago that I was told by a gentleman who spent some time in Japan last summer that there is absolutely no more danger of war between Japan and the United States than there is of a war between the United States and Great Britain. Our relations with that country were never more friendly than now.

But that is not the only reason why there is no danger of war with Japan. Would Japan, even if she was able financially, ever think of sending a fleet of battle ships from Yokohama to attack our Pacific coast distant 4,200 miles? Her vessels would have to be supplied somewhere in the Pacific Ocean with coal and other supplies. For this purpose a naval base would be as essential to her success as war ships. A war ship without coal may be a thing of beauty, but it is as harmless as a dove. [Applause.] There is no available place in the Pacific Ocean except Hawaii from which a hostile fleet could operate against our Pacific coast, and when we have fortified the Hawaiian Islands, as they will be when the money now appropriated and being appropriated this year is expended, under the recommendations of the Taft Board, the Hawaiian Islands will be as impregnable as Gibraltar, and impossible of being captured by Japan or any other nation.

There is no naval vessel afloat that can sail in time of peace from Yokohama to the Pacific coast and back again with her own coal, a distance of 8,400 miles. Without a naval base in the Pacific no oriental country could send a fleet of naval vessels and accompany that fleet with enough colliers to supply them with the necessary coal. If anyone doubts this let him study the coaling needs of our fleet on its trip around the world and the way those needs were supplied. So I say, Mr. Chairman, from no standpoint are we in any danger of war with Japan or any other oriental country. But we have just recently concluded an agreement with Japan which we were told before the naval bill was brought up for consideration insures the most friendly relations with that country. The country rejoiced over this fact, for our people have always enjoyed and will always endeavor to continue the most peaceful and friendly relations with the people of Japan.

Mr. BATES. Mr. Chairman, does the gentleman believe that with all the preparations for defense at Pearl Harbor, Hawaii, a successful defense could be made unless we have vessels of equal efficiency to cope with vessels of other countries?

Mr. TAWNEY. In answering the gentleman I will say that that is the judgment of the Taft Board that made recommendations for the fortifications of Hawaii.

Mr. BATES. I am not speaking of the land fortifications, but of the naval preparation by way of modern ships which would be necessary to control the sea, to prevent a successful attack and probable taking of Hawaii and Pearl Harbor by a foreign foe.

Mr. TAWNEY. Mr. Chairman, if the fortifications at Pearl Harbor and at Honolulu, when completed, as recommended by the Taft Board, are not sufficient, are not adequate for the protection of Pearl Harbor and Honolulu, then why have these recommendations been made, and why are we needlessly wasting the public money for the purpose of constructing these fortifications?

Mr. Chairman, on the Atlantic side we are equally secure from effective attack. There is no European country that has a transport service of sufficient capacity to land an army of 100,000 or 150,000 men fully equipped for war on our shore at a given time, even in time of peace.

Therefore, Mr. Chairman, we are not situated as are the other countries with which we are constantly comparing means of national defense. There is no country that can strike us effectively, with the fortifications we now have and with the navy we now have.

But I am not in favor of the amendment alone because I believe it unnecessary at this time to authorize these two large battle ships. There is another reason—one that ought to appeal to the membership of this House and to the country—against this ambitious policy to excel all other nations in the number and size of our war vessels. We are this year spending 40 per cent of all our revenues, exclusive of postal receipts, for preparation for war and about 30 per cent on account of wars past, leaving only 30 per cent for all other governmental purposes, except the postal service. We to-day have a deficit of over \$75,000,000. In other words, we have expended, during the last six months, \$75,000,000 more than we have received. At the end of this fiscal year we will have a deficit of at least \$125,000,000.

Next year, on the basis of existing revenue laws, according to the estimate of the Secretary of the Treasury, we will have a deficit of \$143,000,000. We have no money to-day for permanent constructive objects like river and harbor improvements; and you propose, in the face of that fact, to appropriate \$24,000,000 for temporary destructive purposes, or for two \$12,000,000 battle ships. If we could take the \$24,000,000 that will ultimately be placed in these two battle ships and devote that money to river and harbor improvements, that improvement would be permanent and the benefit would be immediate and direct to the people and their commerce. But the people are denied these necessary internal improvements for want of money; and yet, to gratify an ambition to excel all other nations in the matter of shipbuilding, you propose, in the face of a certain deficit of one hundred and twenty-five millions this year and a possible deficit of one hundred and forty-three millions next year, to spend \$24,000,000 in the construction of two ships.

Mr. FOSS. Mr. Chairman—

Mr. TAWNEY. Oh, I do not say that the \$24,000,000 are carried in this bill. Twelve million dollars of it is, and that is only for the cost of the hull and armor of the two ships.

Mr. FOSS. I want to state to the gentleman that the cost of these ships is \$10,250,000 each.

Mr. TAWNEY. In the last session we were told that these *Dreadnoughts* of 20,000-ton burden would cost \$13,000,000. Now, because we have had hard times and are constructing them a little more cheaply, it is estimated that they will cost \$12,000,000, and \$6,000,000 for each ship is carried in this bill, which is only half of the actual cost of the ships. Therefore we will have \$24,000,000 to pay, and nothing but a deficit with which to meet the expenditure. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

[By unanimous consent Mr. TAWNEY was granted leave to extend his remarks in the RECORD.]

Mr. FOSS. Mr. Chairman, I desire to state, for the information of the House, that I have received from the chief constructor of the navy a statement to the effect that the estimated cost of each one of these ships would be \$10,250,000—that is to say, the cost for the two ships will be \$20,500,000 instead of \$24,000,000, as the gentleman from Minnesota has stated in his remarks.

Mr. COCKRAN. Mr. Chairman, before the gentleman from Illinois takes his seat, I would like to ask him a question. I would like to ask if, for the information of the committee and of the House, he would be good enough to state the reasons that determined the committee to report in favor of the construction of two battle ships—whether it was on representation by officers charged with the defense of the country or from ratiocinations pursued by the committee itself?

Mr. FOSS. I will state to the gentleman that there is in the Navy Department a body called the "General Board," composed of some of the ablest officers in the navy, who, every year, give careful consideration to the subject of the naval programme, and this board made a recommendation that we authorize four battle ships this year. We have, in addition to that, the recommendation of the Secretary of the Navy to authorize four battle ships, and then upon that comes the recommendation of the President of the United States, in his message sent to Congress, that we authorize four battle ships. Now, all these recommendations came before the committee, and the committee, after careful consideration and discussion, came to the conclusion that it would be wise to recommend half the number, or two battle ships, and accordingly we recommend that number in this bill.

Mr. SHERLEY. Will the gentleman yield to a question?

Mr. FOSS. I will.

Mr. SHERLEY. Are we to infer from that that the judgment of the committee is half as wise as that of the board, or twice as wise? [Laughter and applause.]

Mr. FOSS. The gentleman can figure that out for himself. I now yield ten minutes to the gentleman from Iowa [Mr. HEPBURN.]

Mr. HEPBURN. Mr. Chairman, we always have opposition to every effort that is made to increase the military power of this Government, but I have never heard so trivial a reason or one so dishonoring to the people of the United States assigned to those who desire to increase the military power of the United States as that which was made by the gentleman from Minnesota [Mr. TAWNEY] a little while ago. He told us that the sole purpose of those who wanted to have an adequate navy was because of an ambition to excel in naval architecture. He told us, aside from the possibility of war, aside from the solicitude that patriots may have for the performances of their Government in case war does come, he imputes to us simply the ignoble purpose

of desiring to build better ships than some other nation. I scout that suggestion of the gentleman as an insult to the American people. Those who favor an adequate navy do so because they recognize the fact that the American people are a warlike people. Every generation of Americans has had its war, as probably every generation will.

There is a passion for military glory in the breast of all Americans, and while we talk of ourselves as a Christian people, intent upon securing the spread of peace over all the nations, yet we have had how many wars, Mr. Chairman—1812, 1846, 1861, and 1898. In less than a century this Christian people has had four wars. And, Mr. Chairman, let me call attention to that other fact that in each one of them we went in without being prepared. In the war of 1812 we went in without either army or navy and threw down our challenge to the most powerful nation on earth. The war of 1846 found us without preparation, and preparation had to be made after hostilities began. So it was with the war of 1898. The first thing we did was to appropriate \$50,000,000 to bring up our war establishment to the condition that it ought to have been in time of peace. We have always listened to the siren song of those gentlemen who say, "You will never need an army; you will never need a navy;" and how gratifying it must be to all in authority to listen to the assurances of the gentleman from Minnesota that there can be no further wars, that we are to be exempt from all of these curses that come to other nations through national conflict. Here is to be peace. And we have the word of the gentleman from Minnesota that no hostile force can reach our shores. Then why be timid? If the good people along the northern Atlantic coast in 1898 had known what he knows there would have been no solicitude when it was rumored that the Spanish fleet was approaching our coast, and the good people of Boston would not have carried all of their portable valuables hundreds of miles into the interior [laughter] if they had only known what the gentleman from Minnesota knows and could only have been so fully established in their ideas of security as is the doughty gentleman from Minnesota. [Laughter.]

Now, if the gentleman had told us that no hostile fleet could have ever reached the capital city of his district, I would have thought possibly he might be correct [laughter], certainly at this season of the year. [Laughter.] Mr. Chairman, every man knows that if an insult comes to our Government from any foreign government, there will be reparation or war. Why talk about peace when we recognize that fact? The war spirit that is in the hearts, ah, in the blood, of young America would force any administration into hostility. What cause of war other than sentiment had we in 1898? Yet, when the sentiments of the American people were outraged they did not stop. The Government tried to do so, the administration did everything possible, the President held back, but this impulse that is in the hearts and in the blood of Americans, when there was a people alien to us, not of our blood, in whom we had no especial interest, and whom tyranny trampled upon, demanded that we should go to their rescue, without hesitation, without preparation, without a fitting army or a competent navy, we did; and the very first step was to appropriate by a vote that was unanimous, a vote in which the gentleman from Minnesota [Mr. TAWNEY] participated, a vote in which the gentleman from Missouri [Mr. BARTHOLOMEW], I think, said "aye," we appropriated \$50,000,000, not for the purpose of putting our Nation in that condition that it ought to have been for the purposes of that war, but to bring it up to even the peace standard that was creditable to the Nation.

And, Mr. Chairman, one of the evidences that seems to me to be so important in this matter, that proves the war spirit of the Americans, is found in the fact that the \$50,000,000 was put into the hands of the President without limitation, except to expend it to put us as nearly as possible into a war condition; and up to this moment, Mr. Chairman, there has been no request from any human being as to how that \$50,000,000 was expended.

Now, Mr. Chairman—

THE CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I will yield five minutes more to the gentleman, if he desires.

Mr. HEPBURN. Thank you.

Mr. Chairman, I believe that now is the time to secure an efficient navy. That our navy is commensurate with our wants, I do not believe. The gentleman from Minnesota tells us, with gravity, that our situation is such that we need less of sea armament than other nations may need; that we have two coasts, the Atlantic and the Pacific, and therefore we do not need the same power upon the sea. I do not look at that fact as the gentleman from Minnesota does. It seems to me, sir, that this separation of our coasts makes a larger navy more necessary. I think

that the fact that we have 3,000 miles upon the Pacific, and a larger number of miles upon the Atlantic and the Gulf, to defend, the two being separated, requiring weeks in order to send relief from one to the other, makes it necessary that we should be prepared for any emergency. That is a source of weakness, not a source of strength. The gentleman says that no naval force from the West or from the Far East can ever reach our Atlantic coast in an efficient condition.

I do not know that, Mr. Chairman, and the gentleman will pardon me if I express some doubt as to whether he knows it. What may be done is still a matter of conjecture, and especially what may be done by the Japanese now or by the Chinese in a score of years from now. I do not want war with any nation. I hope we never may have another declaration of war from our Government, but I want to be prepared for it, and as one of the means for securing answers to the prayers for peace that I put forth I want to see such a navy as will suggest to our proposed assailants that there is peril in the assault. I want him to know that assault can be repelled. I do not want the disgraceful spectacle that has been witnessed time and again, at least on two or three occasions, because in our parsimony, or in our hopes for peace that have always been illusive, we have failed to prepare.

Once, gentlemen may remember, when we were defying Great Britain and seeking war with her, the declaration was made when the only preparation that was indulged in was the building of certain gunboats of about from 20 to 30 tons burden, each armed with a swivel gun, and so disproportioned was armament to hull that when the gun was fired across the side of a vessel it immediately capsized and proceeded to the bottom of the river that it was to defend. [Laughter.] And our whole defense when we went into the war of 1812 was 67 out of 200 gunboats of that character. [Applause.]

Mr. FINLEY. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, I ask unanimous consent that I may be permitted to extend my remarks in the Record.

THE CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. SLAYDEN. Mr. Chairman, I firmly believe that if we should adopt the amendment, it will be taken as a declaration to the world that we do not expect and that we do not desire war. I believe that it will contribute to the success of the efforts of the patriotic and intelligent men throughout the world who have dedicated themselves to the honorable work of preserving peace, and who hope and expect that this country will lead in that great work. It is reasonable to expect it, because we are so situated that we need not look upon an assault from any outside government on earth as containing the least element of success should such an assault be made. Our isolation, which really is splendid, added to the resources of the country, makes us absolutely secure.

Mr. Chairman, both Houses of Congress constantly preach economy, and just as persistently practice extravagance. This bill is a striking illustration of the extravagance that has characterized us for a number of years. Briefly, I want to call attention to a few figures, and ask that gentlemen consider them before they cast their vote upon this amendment. Last year, as I recall it, the Committee on Naval Affairs carried through this House a bill that appropriated about \$103,000,000. That bill was increased when it reached the other legislative body, until finally the appropriation carried was one hundred and twenty-two million six hundred and sixty-two thousand and odd dollars. The estimates submitted to the committee for this particular bill were in amount \$134,393,447.99. The bill exceeds the estimates by a considerable figure, for it carries \$135,662,888.25.

Mr. FOSS. May I interrupt the gentleman right there?

Mr. SLAYDEN. Yes; but, Mr. Chairman, I have only five minutes. I will yield if the gentleman will agree to give me a little time.

Mr. FOSS. Well, go on.

Mr. SLAYDEN. Mr. Chairman, that committee which is headed by the gentleman from Illinois is unique among the committees of this House. We have a bill brought in by that committee that exceeds the estimates submitted to the committee by the department.

Mr. FOSS. I will give the gentleman further time if he will permit me to interrupt him.

Mr. SLAYDEN. How much time will the gentleman give me?

Mr. FOSS. I want to say to him that the department never sent in estimates for the new ships; but in this bill we have appropriated about \$15,000,000 for the new ships, and these



estimates are not sent in as regular estimates submitted by the Secretary of the Treasury, and that is the reason why.

Mr. SLAYDEN. The bill exceeds the estimate, and that is the point. In the gentleman's argument he undertakes to show that his committee is not controlled by bureau estimates. I am glad to hear it, but if he is right in his contention I am forced to the conclusion that estimates are persistently made greater than actual requirements, for, notwithstanding he claims to be economical, his appropriations grow so steadily and rapidly that I fear he and his committee will soon bankrupt the Government. I fear that estimates are deliberately made excessive in order to get what the department really wants. They ask for four ships when they want two, and so on.

Mr. Chairman, I think there is nothing more absurd than the alarm that gentlemen feel about the dangers that they suppose menace us from the East.

According to the table prepared by the committee and submitted by them, the entire tonnage of the Japanese Government, built and building, is 440,000 tons, against 770,408 tons, built and building, on the part of the United States, which does not include the two battle ships, the *Florida* and the *Utah*. Take these in your estimate, and it will very materially increase the difference in our favor as compared with that of Japan.

Mr. Chairman, the coincidence of the consideration of this bill and these alarms of war, with which year by year our people are frightened, has commanded my attention for some time, and it makes me suspicious of the sincerity of the pleas that are made for the increase of the navy. It has happened when our fleet is in the Pacific Ocean that Germany was the favorite enemy. It happens that when our fleet is upon the Atlantic, Japan is our favorite enemy; and I am forced to believe that if we should send our fleet to the Arctic, then Argentina would be the favorite enemy of these gentlemen, who want to tear down the doors of the Treasury and expend every dollar that can be collected from the people by extravagant and unfair taxation.

Japan has a navy just a little more than half as large as ours. She has just emerged from a war that everybody will admit exhausted her physically and financially. She won every battle in that great struggle, but each victory brought her nearer to exhaustion. Had Russia only persisted a little longer—and no thoughtful student of events doubts that she would have persisted but for internal disorders—a different story in all probability would have been written.

This is no impeachment of the character and courage of the Japanese. The sacrifices they made for their fatherland, their resistless and patriotic enthusiasm, testify to their character, and their courage is proven by their conduct in the greatest battles ever fought.

But courage and enthusiasm alone do not wage wars and win battles. In the long run it is resources that count.

Japan has a population about half as great as ours. Her people cultivate farms that average in area only 3 or 4 acres. Every member of a Japanese family, from the oldest down to the youngest that can possibly do so, and of both sexes, has to be almost continuously at work to keep from starving. A drought or a flood, a disaster of any sort, seriously affects the whole people. Famine is created in Japan or China or India by conditions that would hardly secure a newspaper paragraph in the United States.

To-day the credit of Japan, the victor, is hardly so good as that of Russia, the defeated. Market quotations of national credit issues tell the tale.

Over against Japan's limited resources and smaller population, her famine conditions and reduced credit, I place our own vast country with its enormous population and resources that are beyond computation and comprehension.

I ask you to look at the quotation of her 4 per cent bonds and compare them with the market value of our 2 per cent bonds. I ask you to be reasonable and practical in your consideration of this absurd war scare.

On our side of the Pacific Ocean Japan has no coal or coaling stations. On all the Pacific coast, from the Isthmus to the State of Washington, there is no coal. We find it only in British Columbia. It is preposterous to think that England would permit her colony to give such aid and comfort to an enemy of the United States as to equip her with a war material like coal. The English are not only our kinsmen, they are also sensible people. They need us in trade, to take the lowest possible view of their probable course of action in such a contingency as gentlemen seem to fear.

If Japan were to send war ships to our shores on a hostile mission they would be helpless when they got here. England alone could be of assistance in that crisis, and common sense tells us she would not take sides against us.

Californians are needlessly alarmed—if they are alarmed, which I doubt.

A distinguished military officer told me the other day that San Francisco was perfectly defended—overdefended were his exact words—against an attack from the sea.

Suppose—and it is a wild and an absurd conjecture—that Japan could land an army. We wouldn't be idle. We could meet it, and I know that we could take care of it, too.

We are gradually erecting a system of coast defenses from Maine to western Texas and from southern California to northern Washington. The Atlantic defenses are nearly, if not quite, complete. The Gulf has not yet been as perfectly fortified as it will be, and that work is now being done. I am willing that it should be abandoned until my Pacific coast brethren have had their nerves quieted. We are not alarmed either for our commerce or our lives.

The truth is, Mr. Chairman, that we are military mad. Much more than half of our revenues are now devoted to military, naval, and pension expenses. Our schools are training depots for soldiers. Half the students are in uniform. A commission in the army or navy is looked upon as the greatest reward that our young men can seek. It spells ruin for the Republic unless we can reverse the thoughts of our people.

The Declaration of Independence is out of fashion. It was described by one of our uniformed statesmen as a "damned inflammable document." We govern 10,000,000 alien people against their will. A large number of people hope to govern more yet in the West Indies. This expansion, this government of an alien people, is tied up with the military idea. It requires more armies and navies, more commissions, and more promotions, and so it is popular.

If we had not committed the political crime and stupidity of acquiring the Philippines, we would never have heard of war with Japan; and even the most timid will admit that we would have been in no danger if such a war had come under such circumstances.

But Japan wants no war. Her rulers are wise men; they know how such a war would end. They have shown ability of the highest order, and they will never be persuaded that a little success in the Philippines, or even a foray on the Pacific coast of North America, will compensate them for the price they would finally pay.

Another thought I would like for Members to consider before they vote for the big increase in the navy.

These tremendous appropriations, plus the deficit that will be more than \$125,000,000 by June 30 of the current year, will indefinitely postpone the river and harbor work that we all want in order that our commerce may be prospered.

Which will you have, deeper harbors and better river navigation, with the cheaper freight rates that they will bring, or more battle ships that we do not need and that will be in the scrap heap in ten years?

I insert with my remarks the document entitled "Thirty Reasons Why Our Navy Should Not Be Enlarged."

#### THIRTY REASONS WHY OUR NAVY SHOULD NOT BE ENLARGED.

The following statement of reasons why our navy should not be enlarged is issued with the indorsement of a large body of the leading men of the country, including Charles Francis Adams, James Addams, Samuel Bowles, John Graham Brooks, Andrew Carnegie, James Duncan, President Faunce, of Brown University, A. B. Farquhar, Edwin Glinn, Washington Gladden, Edward Everett Hale, William D. Howells, Chester Holcombe, Prof. William James, Rev. Charles E. Jefferson, President Jordan, of Leland Stanford University, Bishop William N. McJannet, Marcus Marks, N. O. Nelson, Gen. William J. Palmer, Rev. Charles H. Parkhurst, George Foster Peabody, Bliss Perry, Dean Henry Wade Rogers, of the Yale Law School, Prof. William G. Sumner, Lincoln Steffens, Ida M. Tarbell, President Thwing, of Western Reserve University, President Thompson, of the State University of Ohio, Booker T. Washington, Rabbi Stephen S. Wise, President Mary E. Woolley, of Mount Holyoke College, and others.

1. Because we have fought foreign foes—English, Spanish, and Mexican—only six years in the one hundred and twenty-five years since the Revolution. In every foreign war we made the first attack. With less danger from attack than any other nation, we are now spending more for past war and preparation for future war than any other nation in the world.

2. Because our extent of coast line has little relation to danger from attack. The second Hague conference has provided for immunity from bombardment of all unfortified towns and from levying contributions by threat of bombardment. We should be safer still if we reduced fortifications, as one of our delegates to The Hague has said.

3. Because The Hague conference also provided for arbitration of disputes over contractual debts, thereby removing excuse for our keeping a navy to prevent forcible collection of such debts of South America to Europe.

4. Because a navy is less needed than ever to protect South America, as it is now perfectly capable of a defensive alliance among its nations to repel any wanton attack from outside. Reasons which made the Monroe doctrine necessary when there was a "holy alliance" and the weak South American republics were unconnected by telegraphs or railroads have no application when modern communications, soon to include the Panama Canal, and enormously increased population, wealth, and mutual friendship make them now far from eager to continue our overlordship. With the price of a few torpedo boats we might secure by education and diplomacy a federation of South American states.

5. Because there is no danger from China, a peace-loving nation friendly to us. Our return of the indemnity has done more to promote peace with her than anything else could do. According to the testimony of Ambassador Luke Wright, of Hon. John W. Foster, of Secretary Taft, and of over 100 missionaries to Japan, familiar with her language, customs, and politics, there is not the slightest foundation for the violent and frothy talk which is emanating from a few Americans against Japan and is poisoning the minds of millions of our uninformed citizens. Said Ambassador Wright: "The talk of war between this country and Japan is not even respectable nonsense." The 100 missionaries say: "We desire to place on record our profound appreciation of the kind treatment which we experience at the hands of both Government and people; our belief is that the alleged belligerent attitude of the Japanese does not represent the real sentiments of the people. We wish to bear testimony to the sobriety, sense of international justice, and freedom from aggressive designs exhibited by the great majority of the Japanese people." Nothing could do more to develop the opposite feeling than the baseless assumption and insulting statements published by certain irresponsible newspapers and military men.

6. Because of an excessive, unhealthy reliance on force in our country in recent years, which calls attention away from the real foes at home to supposititious foreign enemies. Its spirit fills the newspapers with reckless, unfounded suspicions and accusations, distorting historic statements, promotes constant talk about war and preparation for war, of maneuvers, promotions, and technical details, and makes us blind to the real sources of our greatest loss of life and property.

7. Because our three foreign wars since 1781, which lasted only six years, cost in life, all told, in battle nothing comparable with our reckless slaughter by accidents every year in time of peace. The \$60,000,000 increase of the navy asked for last year, if spent in fighting disease, ignorance, waste, and wickedness at home, probably could save as much life and property as all our foreign and civil wars have cost. In five years we have lost alone by fire, largely preventable, \$1,200,000,000.

8. Because we are already spending over 65 per cent of the Nation's revenue in payment for past war and in preparation for future war, and have but one-third of our national revenue left for judicial and executive departments, coast guard, light-houses, quarantine, custom-houses, post-offices, census, waterways, forestry, consular and diplomatic service, and all other constructive work.

9. Because we have increased our expenditure for defense 200 times during a period when our population has increased only 22 times, our coast line perhaps 3 times, and our danger from attack not at all.

10. Because we are protected by nature as is no other country, and have not the excuse for a great navy which England has, nor for a strong army which Germany has. Our wealth is as great a protection as our geographical position. We supply our own necessities and are not dependent, as many nations are. General Sheridan said that no nation on the Continent of Europe had sufficient ships to spare to bring over enough soldiers to carry on one campaign so far from its base of supplies.

11. Because we shall need no navy to protect the Philippines if we but ask the nations to pledge preservation of their autonomy when we grant them their independence. No nation could refuse or would dare wantonly break such a pledge made to the world. The neutralization, in this manner, of exposed places is one of the most successful methods of preventing war which we can further use. The pledge between the United States and Great Britain to remove battle ships and forts from our Canadian border has since 1817 secured peace at no expense on over 3,000 miles of frontier. Without this pledge we should probably have had war. So long as this line is unguarded we shall never fight Great Britain.

12. Because all the great nations, in one place or another, are securing safety from territorial aggrandizement by pledging territorial inviolability. All the nations on the Baltic and North seas signed treaties in April, 1908, to respect each other's territory on those waters. Turbulent Central America has secured peace by similar methods. It is the method of the future.

13. Because, in spite of our strategic position and the fact that Europe largely depends on us for food, we are spending for defense more than France and only \$36,000,000 less than Germany, and only \$66,000,000 less than Great Britain, which has possessions to protect around the globe and is unable to feed herself except by imports.

14. Because labor put into the construction of armaments could be better employed to increase our insufficient railroad capacity and as many men could be employed in making rails and engines, of which we have too few to move our crops, as in making armor plate and instruments of destruction.

15. Because the recent arbitration treaties signed with Great Britain, France, Norway, Spain, Portugal, Switzerland, Japan, and Germany minimize the possibility of war with those countries, and we have no fear of any others.

16. Because, as was unanimously agreed at the arbitration conference in 1904 in Washington, attended by a great body of our most eminent public men, there is no question of "honor" or "vital interest" which can not be arbitrated, except, of course, that of autonomy, which can be secured by international pledge, and in our case is beyond menace. Some of the smaller nations have already agreed to arbitrate every question. There is no excuse for increased armaments until we have at least tried to get the great powers to pledge themselves to arbitrate every question with us.

17. Because we can secure far greater safety by expending on a peace budget a small amount every year, say, \$1 out of every thousand voted for armaments. Last year that would have been \$220,000, which, in the hands of a commission, could have brought 100 eminent Japanese here and sent 100 of our Congressmen and editors to Japan. Banquets, speeches, interviews, lectures, etc., would have brought about an understanding and friendship which might have easily prevented the vote for a new *Dreadnought*. This method was recommended by the Interparliamentary Union, and is worth more even than the ounce of prevention which is worth a pound of cure. Courtesy and good will are more powerful than explosives in preventing war.

18. Because a national and racial arrogance is growing in our country, and bumptious talk about our being "master of the Pacific," though there are ten other nations bordering on it, is leading a part of our press and people to insult and irritate other peoples with the sense of impunity in our impudence which a huge navy lends. We, as well as other nations, have found easy euphemisms to ease our consciences when using our military power to further our own ends. We shall be far less likely to be hot-headed and rash and to rush into needless war if we do not increase our navy. It is naive conceit to say that we are so peaceful and just that we can never be tempted to wage a needless war. The war with Mexico was fought in the interest of slavery, and was called iniquitous by General Grant, who fought in

it. Said Secretary of State Sherman concerning the Spanish war, "We could have adjusted our difficulties without the loss of blood and treasure." Said Congressman Boutelle, "President McKinley, if Congress had left the matter to him, would have secured everything we wanted in Cuba without the sacrifice of one drop of American or Spanish blood."

19. Because our navy is already so large as to incite other nations to increase theirs. Our naval increase was quoted last year in the French Assembly as an argument for a French increase. This senseless rivalry is driving certain would-be customers of ours toward bankruptcy.

20. Because increase of our navy does not increase respect of foreigners for us. Respect can be given only to moral qualities. Our indifference to lawlessness and our civic corruption are well known abroad. We have no more moral influence than we had thirty years ago, when every monarchy in Europe was being sapped by our democracy. Plutocracy and militarism make us talked of and dreaded, but not respected. Many, perhaps, are glad that we are being hampered in our race for commercial supremacy by saddling ourselves with the Old World's military burdens.

21. Because our dignity no more depends on battle ships than upon light-houses or fire engines. We should feel pride if we are safe enough to dispense with a few. A European city built of stone rejoices that it does not need our costly fire apparatus. A large navy is a confession of conscious weakness or timidity.

22. Because increase of the navy is an implication that new dangers are in sight and old friends are to be suspected. It arouses rivalry and irritation with other nations. The two nations to-day who are the most armed are in the most danger of fighting. Just as Germany's and England's increase of naval power mutually irritates each other, so Japan's military skill has stirred the emulation of our jingoes, masking themselves under the conceited plea that we are par excellence the peaceful people of the world and can do no wrong with our navy.

23. Because "a decent respect for the opinion of mankind" ought to be more and more the controlling motive of nations as of individuals. A navy is but a small element in our defense, even from foreign foes, to say nothing of defense from our far greater domestic dangers to life and property. We have been secure from attack with our fleet at the antipodes.

24. Because the demand for it comes chiefly from those who ignore the new substitutes for war, and whose military training fits them only to kill enemies, but not to prevent friends becoming enemies. They understand explosives, but not human nature or politics or diplomacy or the methods which have produced the astounding bloodless revolution in Turkey, or the demand comes from the class which supplies implements of war and surreptitiously keeps up war scares which the gullible voters make profitable to them.

25. Because declaration of nonintercourse embodied in treaties is a feasible and far more powerful force. We would better spend our energy in studying this new agent, advocated by Justice Brewer of the Supreme Court and other able men, now made possible by modern conditions of communication and politics. If one tithe of the \$60,000,000 asked for were spent on an educational campaign for a pledge of nonintercourse from England, France, and the United States against any nation which attacked one of them and refused to arbitrate, it would do more to keep the world's peace than all their navies. Were two of these strong nations previously to make public their signed agreements to withdraw diplomats and stop commerce upon wanton attack on the third power, no nation would ever attack the third. The declaration would suffice. This is a totally different thing from the old-fashioned embargo declared by one nation on another after war began. Even the unorganized Chinese boycotts, not backed by the Chinese Government, made us remove injustices, and more recently coerced Japan. If in fifteen years 400,000,000 organized Chinese refuse to buy goods if they are ill treated, the greatest navies will avail nothing to get their markets.

26. Because new inventions in all probability will make existing armaments useless before Japan, even if she wanted to attack us, could recuperate from her financial drain sufficiently to do so. Air ships may make battle ships useless.

27. Because an increase of the navy argues infidelity to the great achievements of The Hague conventions. It is childishly inconsistent to create more force when better methods are being substituted for it.

28. Because every enlargement of the navy draws men from constructive work. It keeps them always on the outlook for the trouble which alone could give them the sense of being of real service and importance, and getting promotions and honors. Advocates of large navies are notably skeptical about other methods than force for promoting peace, and draw the attention of the public away from the quiet and effective to the old-fashioned methods which tickle eye and ear with noisy and spectacular effects.

29. Because by lowering excessive tariffs and thus promoting commercial fraternity we could do more for peace than through intimidation by armaments.

30. Because we have not the faintest ground to suspect there will ever be a war again with England so long as our northern frontier is free from her fortifications; nor with Spain, whose interests hereafter can not cross ours; nor with any of the other nations with whom we have always been at peace, and who could fight us only at a range of thousands of miles from their base of supplies. We are especially secure, as Europe is dependent on us for a large share of her food supply, and the Orient has everything to lose and nothing to gain by attacking us. The "Yellow Peril" is a psychological obsession of a few scaremongers who do not read oriental languages or respect people who have not white skins, but who translate their suspicions into statements which are not facts, and help create the very hostility that would excuse their cry for an increased navy.

JANUARY 15, 1909.

Mr. FINLEY. I would like to inquire what time has been consumed on both sides?

The CHAIRMAN. The gentleman from South Carolina has consumed forty minutes' time and the gentleman from Illinois twenty-one minutes.

Mr. FOSS. I yield five minutes to the gentleman from Alabama.

Mr. RICHARDSON. I do not hesitate, Mr. Chairman, to say that I yield to no gentleman upon the floor of this House a greater desire to preserve the peace of our country than I entertain myself. I was glad to hear the distinguished gentleman



from Iowa [Mr. HEPBURN] express the views that he did in regard to his desire to preserve peace.

He knows, as I do, the horrors of war, for we have both experienced it in all its terrors, and he is anxious, as I am, to preserve peace. Yet I believe, Mr. Chairman, in the wise and patriotic policy "That in the time of peace we should prepare for war." Not a war of oppression, but for defense. I am an advocate of the two battle ships recommended by the Naval Committee, and shall vote against the amendment of the gentleman from South Carolina to strike these battle ships from the bill. I find ample justification for thus voting in one interest relating to the increase of cotton consumption in the South. Born and reared in the South, loving all of its traditions, as I do, I am eager to aid to develop the wealth and power that the South holds in its unquestioned monopoly in the great staple—cotton. It is more to the interest of the South to-day and the advancement and welfare of our cotton interests than any other section of the Union, that we should be prepared to defend the contention that we are making to-day for supremacy in trade when our rights or interests are denied or imperiled by anyone.

Who can forget that it was but a few short months since that Japan, with the passive consent of Russia, was preparing to violate one of the most important provisions of the Portsmouth treaty by disregarding the sovereignty of China in Manchuria? Japan sought by the right acquired to build railroads to usurp the authority of China, which meant the "closing of the open door of trade." Who stopped it? It was the protest of Great Britain, with the aid and cooperation of the Government of the United States. Why was it stopped? It was because Japan was threatening "the open door," which the South depends on to enlarge her cotton-cloth trade with China, Japan, and Manchuria. We depend on this China trade because our southern mills manufacture the coarse grade of cotton cloth. Have we forgotten that in the Boxer troubles in China the cotton mills of Georgia and Alabama and other Southern States were to a great extent injured by this disturbance in the decreased product of their mills? Then I say that it is more important, in my judgment—if I am allowed to use that argument in behalf of the advancement of the interests of the South in its great expectations of the cotton trade—to stand by a condition that keeps us prepared to assert our authority when our rights are invaded. I am earnestly for peace.

I do not, Mr. Chairman, advocate this measure to-day in order to put my country even with Great Britain in the number of battle ships, or with Germany or with France or with any other of the great powers of the world, but I advocate it simply on the common-sense grounds that we ought to be prepared, not by any means to be aggressive, but to assert our authority and protect our rights. I am not an alarmist. I see no reason to believe that we are likely to have war with Japan. I am one of that class who believes that Japan is in no manner prepared or willing to go to war with us. In fact, Mr. Chairman, I do not see any war cloud above our horizon. I have an abiding faith in the diplomatic wisdom of our country to avoid war and preserve peace with all the powers of the world. But when I see, Mr. Chairman, the great struggle that we are participating in—that we must take part in—with the great powers of the world for the supremacy of trade and commerce, I realize, as a practical proposition, friction and strife of a most serious character may arise at any time. If we are prepared and ready to assert and defend our rights, the friction and trouble over commercial interests are not so likely to arise. Being ready is a wholesome preventive of war and the strongest maintenance of peace. It is, Mr. Chairman, in the interests of the honor and manhood of our Republic that I am an advocate of a sufficient navy. We all admit that if we ever have war with any nation it will occur on the "high seas."

I am, Mr. Chairman, opposed to what gentlemen denounce as "governmental extravagance," and would vote to curtail expenses when I can consistently with the welfare of our country. I do think it a wise policy to build and keep up a good navy.

[The time of Mr. RICHARDSON having expired, he asked unanimous consent for three minutes more.]

The CHAIRMAN. The Chair does not control the time.

Mr. BUTLER. I will be glad to yield to the gentleman the three minutes which have been promised me. He will advocate this proposition more eloquently than I could.

The CHAIRMAN. The gentleman is recognized for three minutes more.

Mr. RICHARDSON. I thank the gentleman from Pennsylvania. I say, Mr. Chairman, it is not a spirit of rivalry to equal other nations on my part that actuates me to contend for these battle ships. I care not how many Great Britain has. Strike out the two battle ships, and what condition do you leave us

in? Are we thus to abandon the wise policy of gradually enlarging and improving our navy? I have been taught, sir, by a great Alabamian, who was Secretary of the Navy, and who took an immense pride in laying the foundation of an improved navy, that such a policy was wise and patriotic.

Since I have been a Member of Congress I have advocated the improvement of our navy by a fixed policy of authorizing annually the construction of a certain reasonable number of battle ships until we could fairly say that we were, as a Republic, prepared for any contingency. I did not consider these views chimerical, and I do not now. I know I differ with many of my Democratic colleagues on this side. I am not the victim of "frenzy, hysteria, or mania." I say, Mr. Chairman, that we ought to look at it practically, not influenced by what the President of the United States may have said or done, but look at it from a common-sense business view, in the interests of our country. [Applause.]

Mr. FOSS. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. HARRISON].

Mr. HARRISON. Mr. Chairman, I hope this committee will vote for two battle ships. I listened to the argument made last year by the gentleman from Ohio [Mr. BURTON] and this year to the gentleman from Missouri [Mr. BARTHOLOMEW], and I can agree with them only in so far as they believe that no war is imminent. I believe that no war threatens the United States to-day; but when the gentleman from Missouri proceeds to maintain that the defense of this country rests on what he is pleased to call "the enlightened sentiment of the world" I would tell him that when the time of need comes the defense of the United States rests upon the battle ships and upon the strong right arm of the American people. [Applause.]

The gentleman says that he attended the last congress at The Hague. Well, so did I; and I want to ask the gentleman whether, in pursuance of his belief that the enlightened conscience of the world is sufficient to maintain the rights of a non-military nation; he recalls that the delegates of the "Hermit Kingdom" knocked at the door of that conference, demanding in the name of peace that the delegates should secure to them their threatened independence, which they had held for more than a thousand years, and I will ask the gentleman whether he did not see the doors of that conference shut in their faces?

I will ask the gentleman from Ohio the further question, whether, in pursuance of his stated faith that the peace of the world rests upon the enlightened conscience of mankind, he can not recall that a few years ago the greatest military imperial power of modern times engulfed the independent nation of the Boers in the pursuit of territorial aggrandizement?

Mr. Chairman, in the three minutes allotted to me I have not time to go into this question very deeply, but I advocate the building of these two battle ships as a measure of insurance, because I believe that this is the best way to insure peace; and if war ever does come, I want to be able to feel in my own heart, and I want to be able to tell my family, that while there was time I did my share in maintaining the national defense. [Applause.]

Mr. FINLEY. Mr. Chairman, this side has consumed more time than the other. We only have two additional speeches, and I would like to have gentlemen use some time on that side.

Mr. FOSS. I yield five minutes to the gentleman from Pennsylvania [Mr. BATES].

Mr. BATES. Mr. Chairman, I trust the amendment offered striking out the battle ships from the naval programme this year will be voted down. I believe in standing by the President of the United States and the General Naval Board, of which Admiral Dewey is chairman; also the recommendation of the Secretary of the Navy and the unanimous recommendation of the House Committee on Naval Affairs. They all ask us to vote for at least two new ships. I believe it is the duty of this American Congress to continue the navy of this country in its present state of efficiency, and if I make no other point in the few moments allotted to me, I desire to say, Mr. Chairman, that a vote for this amendment to strike the battle ships out of the naval programme is a vote in favor of going backward, and in favor of actually losing ground. I do not believe that the American people who send us here desire that the navy shall retrograde and fall below the present state of efficiency in which we have placed it in the last ten years. We will go back on our splendid record of the last decade if we vote for this amendment striking the two battle ships out of the naval programme.

In 1892, 1893, and 1894 authorization was made for the building of certain ships of war. They were the *Indiana*, the *Massachusetts*, the *Oregon*, the *Brooklyn*, the *Iowa*, and the *Minnesota*. Within a few years more these ships were equipped and delivered, and within two or three years more events occurred in this nation which made those names household words.

When these ships were authorized, when their keels were laid, when they were delivered to the country there was no more thought and no more danger of war than there is this minute, and it is not with the idea of the danger of war that the Naval Committee brings in the report authorizing the building of two battle ships this year. It is to be in consonance, in harmony with the naval programme which we have followed for the last ten years. These battle ships and cruisers, whose names I have called, are to-day obsolete and practically relegated to the ships of the second class. Not to build and not to authorize the building of two or three or four battle ships each year is a vote of retrogression, because the life of an ordinary cruiser or battle ship is only fifteen or eighteen years.

The gentleman from Texas and the gentleman from Missouri talk of peace. I am a member of that same Interparliamentary Peace Conference that has met from year to year and to which they refer.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. BATES. Certainly.

Mr. MADDEN. Is it understood that ships authorized as recently as 1892, and perhaps built a little later, are now worthless?

Mr. BATES. They are practically obsolete to-day.

Mr. MADDEN. What foundation has the gentleman for making such a statement?

Mr. BATES. Just the fact; and if the gentleman desires to look it up, he can do so. It is the statement of the Secretaries of the Navy for the past ten years. I am as much in favor of peace as the gentlemen who cry peace on this floor, but I want to ask those apostles of peace—

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I yield two minutes more to the gentleman.

Mr. BATES. Mr. Chairman, what nation prevails most in crying peace, the efficient nation prepared for war or the weak, pusillanimous nation without any navy or army or any strength whatever before the nations of the world? Who was it who made immortal the words "Let us have peace?" Was it a weak, pusillanimous general who was loafing about Washington displaying his epaulets? No; it was a man who was the greatest commander this earth has ever seen, who had been a thunderbolt in war and who had led his legions victorious in every battle, and when he said, "Let us have peace," those words struck home and rang all around the world; and so with this Nation, if she is strong, if she is efficient, if she commands the best navy on the globe, when she utters the words, "Let us have peace," those words will prevail in every portion of the globe. [Applause.]

Mr. BARTHOLDT. Will the gentleman permit a question?

Mr. BATES. Yes.

Mr. BARTHOLDT. Who is the more worthy citizen, the man with the revolver in his pocket or the other who goes unarmed?

Mr. BATES. Let me say to the gentleman from Missouri that we always equip our policemen with weapons to be used in case of necessity, and such officers are always most efficient in compelling and maintaining peace. Not that they often use them, but the knowledge that they have arms makes their presence a sign of peace and tranquillity, never a sign of disturbance.

Mr. BARTHOLDT. But I am talking about citizens.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOSS. Mr. Chairman, I yield three minutes to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES of New Jersey. Mr. Chairman, I rise at this time for the purpose of stating my position in regard to this amendment, and my position with regard to the proposition to authorize two battle ships this year. I would be as willing as any man to curtail the naval expenditures if this Nation of ours was in the position it was some years ago, and which the fathers of the Nation fondly hoped and advised it would continue to be, but, in my judgment, the two battle ships carried in this appropriation bill are the natural corollary of the action of this Government in taking possession of the Philippine Islands. I believe that we made a gigantic mistake when we carried the frontiers of our country thousands of miles into the ocean. I am in favor now of getting rid of the Philippine Islands.

I am not in favor exactly of the policy which has been denominated by the term "scuttling," because I do not believe that method would be effectual. I do not think you could bore a hole in the Philippine Islands and cause them to sink into the sea, because I believe that if it was possible to do that it would have been done long ago. I believe that we must leave to the party which gave us this incubus, which hung this millstone around our necks, and which makes it necessary for us to con-

stantly appropriate great sums of money, the task of getting us out of the Philippine Islands with honor, even though it be at a great cost in blood and treasure. I can see that, having possession of the Philippine Islands, we are open to possible humiliation. Any nation wishing to engage in war with us, in my judgment, would naturally attack the Philippine Islands. They would obtain a footing there and they would intrench themselves and then we would be called upon to ship soldiers and to send our fleet to regain that which was of little or no advantage to us, but which became immensely important before we could ask our people to let us enter upon negotiations for a treaty of peace. He would be a brave man, indeed, who would urge negotiation of a treaty with the Philippine Islands in the possession of some power that had gone to war with us. So I believe that so long as we retain the Philippine Islands we must depend upon the navy to protect the national honor there and to prevent us from humiliation in that quarter. Consequently it is with confidence that I can go before my people to justify my act in voting for these two ships. [Applause.]

[Mr. BURTON of Ohio addressed the committee. See Appendix.]

Mr. FOSS. Mr. Chairman, I yield ten minutes to the gentleman from New York [Mr. COCKRAN].

Mr. COCKRAN. Mr. Chairman, with almost everything which the gentleman from Ohio [Mr. BURTON] has said by way of argument I am in hearty accord. For the oratorical embellishments of his speech I have unstinted admiration. From the conclusion he has reached my dissent is radical and profound. The gentleman from Minnesota [Mr. TAWNEY] and the gentleman from Ohio [Mr. BURTON] both seem to labor under the impression that it rests with this country to decide for itself whether there be a necessity for increasing its armament. In this I think both are radically mistaken, and from that fundamental, original misconception they have reached a conclusion which, I submit to this body, it would be very dangerous for us to adopt.

Mr. Chairman, I am far from concurring with the statement of the gentleman from Iowa [Mr. HEBURN] that every generation must necessarily have its war. I believe that there is a prospect, and a steadily improving prospect, of peace throughout the world. I believe that as we have seen such progress during the last century that to-day men are moving about the highways in civilized communities without swords at their sides or arms in their hands, so we may hope to see the nations realize before the close of this century that war and preparations for war are a useless and senseless waste of treasure and of energy. But even in the most highly civilized communities in this civilization of ours we are still compelled to maintain jails and scaffolds, criminal courts and peace officers to restrain some men from invading the rights of others. And the nations have not yet reached the point, I am sorry to say, where they can find it safe to put away their arms or disband their armies and trust for the maintenance of peace to the merit of their policy or the excellence of their intentions.

Mr. Chairman, while I believe it would be unsafe to hold that war is an impossible contingency I am happy to say the tendency of events everywhere is toward conditions which make for peace throughout the world. The circle of regard for justice, among nations as among individuals, is widening every day. With the gentleman from Ohio I do not believe there is a possibility that war can ever be made upon this country through the deliberately aggressive act of any foreign government. I am sure this Government will never undertake to make war on any other country. If war is to come, it will be not through the policy or disposition of this Government or any other to make it, but in spite of all that every government can do to avert it. I do not believe there is the slightest possibility of war between this and any Christian country. And I hold this belief, not because of the common civilization that all Christian nations maintain, but by reason of necessities that bind them all to this country in a common interest of vital importance.

Were we at war to-morrow with any European power, and if that power succeeded in closing our ports, to say nothing of menacing the security of our cities, the stream of food supplies essential to the very existence of every other country, would be dammed up, and every neutral power would find itself forced by imperious necessity to interfere for the purpose of liberating that stream of supplies, of which this bountiful soil of ours is an exhaustless fountain when cultivated by the matchless productive energies of our people. And so, Mr. Chairman, I dismiss utterly and completely the possibility of attack on our Atlantic coast line from any source. But on the Pacific I discern a danger, and a serious one, which we can not afford to disregard. The gentleman from Ohio has himself described



conditions that establish beyond all question the existence of a peril against which, it seems to me, we are bound to take precautions in the discharge of our plain duty, not alone toward our own country, but to the civilization of which this country is the depository and the trustee.

The gentleman says there has been a remarkable growth of racial repulsion during the last few years. I do not admit there has been a growth of racial repulsion, because I believe it is impossible for that repulsion either to grow or diminish. It is inherent, irrepressible, unconquerable in all men—sometimes smoldering when races are far apart, leaping into life and activity instantaneously and instinctively the moment they come in contact. Never yet have two races dwelt together peaceably in actual contact, except where one has consented to admit superiority of the other. [Applause.] To this fact all history bears unbroken testimony. Gentlemen on this side of the Chamber, you have had demonstrated by experience—ample, recent, and bitter—the truth of this proposition in the South. Within a few years an attempt was made by constitutional provision to establish two races on conditions politically equal in your own States. What was the result? One race immediately asserted its superiority over the other. No power could prevent that assertion or withstand its success. Every resource this great Government could exercise was invoked, and all of them proved unable to establish equality between these two races. Your state governments were in the possession of the race which you consider inferior.

The National Government, with its army, its Congress, by overwhelming votes of both Houses, exhausted all the powers of civilized society in an effort to maintain the inferior race in possession of the governments they had seized, and all the efforts of both governments, state and national, failed absolutely. [Applause.] While the attempts to maintain equality continued, nothing but confusion and disturbance resulted. [Renewed applause.] The two races to-day dwell together in peace with each other, and there is every prospect of peace throughout the future, because the condition of contact between them now is that one race, in act if not in word, acknowledges inferiority.

But there are on the Pacific coast to-day two distinct races, one of which will not acknowledge inferiority, and the other will not acknowledge equality. One has held the soil for many years. The other has but recently appeared on it. This last race has grown greatly during the last few years, not only in numbers, but in possessions. Everybody concedes that if this growth should continue nothing can prevent our fellow-citizens on the Pacific coast from taking measures to exclude all members of this alien race. Whether this determination be commendable or otherwise is not worth discussing. It is inexorable. The President of the United States is now negotiating to secure their exclusion by voluntary cooperation of the Japanese Government. Whether his efforts will prevail or not we do not know. There is, however, one fact of great significance which we can not escape. The Japanese Government will not consent to a treaty providing for exclusion. If therefore the measures taken by their own Government to prevent Japanese coolies from coming here should not prove effective, then nothing will be left but passage by Congress of an exclusion act. Such an act would be demanded by a public sentiment so overwhelming that it could not be resisted. Everyone knows that passage by the country of an exclusion law would be considered an act of unfriendliness by the Japanese Government. Diplomatic relations with us would very likely, almost certainly, be broken off. Will any gentleman here question that fact? Gentlemen know what followed in another part of the world when that same Government broke off diplomatic relations with a great European power. But, Mr. Chairman, even under such conditions, I do not believe the Japanese Government would make war upon us.

So far as that Government is concerned I believe it would confine its manifestation of resentment or displeasure to a mere suspension of diplomatic intercourse.

If war should come, I repeat, it will come not through the desire of either Government to make it but in spite of everything both Governments can do to prevent it.

And I can conceive circumstances under which both Governments would be powerless to avert war. Suppose that racial antipathy, which is unconquerable, should, under the stress of some sudden excitement, take the form in California which it actually took in New Orleans a few years ago. Suppose that for some reason or other there was an outburst of racial hostility, in the course of which a number of Japanese were lynched on the Pacific coast. Do you think the Japanese in Tokyo or Nagasaki would allow it to pass without reprisal? If you do, you have never visited that country. Their pride of race

is even more intense than ours. We have other passionate attachments besides our patriotic impulses.

With us love of family, love of children, love of parents, love of friends are strong as love of country. The Japanese appear to have but one absorbing passion, and that is love of country; one universal impulse, and that is pride of race. Let that be outraged and reprisals would follow inevitably as night the day. What form would they take? That question is not difficult to answer. In this country if any Japanese were lynched they would be laborers. There are no American laborers that could be lynched in Japan. In that country there are American merchants, American missionaries, American tourists, American officials. Picture to yourselves a contingency that is entirely possible—conceive not a condition which is unprecedented or wildly improbable, but the recurrence of a condition which has already happened. Suppose that, as a number of Italians were lynched in New Orleans some years ago, a number of Japanese should be similarly done to death in California or Oregon, and that the lynching of these Japanese laborers were followed by lynching of Americans belonging to a superior class in Tokyo. Do you believe it would be possible to prevent an ebullition of feeling in this country that would hurry us irresistibly into hostilities? Would you gentlemen who propose to vote against this measure of precaution now, if an American consul were lynched in Tokyo, or a number of American missionaries were massacred in some other part of Japan—even under the provocation of prior lynchings by Americans—would you come in here to counsel peace and submission? It would be excellent counsel, but it would fall upon deaf ears.

There is but one way to make peace secure against resentments provoked by acts of violence perpetrated in either country on citizens of the other, and that is by making the force at the disposal of one so decisively preponderant that the hopelessness of attacking it or its citizens will be obvious and unmistakable.

I would not be understood as defending, excusing, or palliating acts of violence by citizens of this country or any other. I am merely describing conditions which I believe to be actual, and urging measures to avert dangers which I believe to be serious and portentous.

Now, sir, I know it is suggested that even if these two battle ships are voted, they can not be constructed in time to meet an immediate emergency. But, sir, the necessity for building them remains. One difficulty with this peril is that it is continuous. Our precautions must therefore be continuous. This peril can not be averted by negotiations begun or terminated in a year. It will last until all, practically, members of that race whose advent has provoked it shall have disappeared from our shores, and there is no prospect of their speedy disappearance. Even the negotiations undertaken by the President aim at gradual, not at immediate, exclusion. [Applause.]

[Here the hammer fell.]

MR. FINLEY. Mr. Chairman, I should like to ask the gentleman from Illinois how many more speakers he has on his side?

MR. FOSS. I think only one more.

MR. FINLEY. Mr. Chairman, I have listened with a great deal of interest to the remarks of the gentleman from New York [Mr. COCKRAN], and I feel compelled to say in reply that he is extravagant in suppositions. Peace and war in this day, are not made as they were generations and centuries ago. To-day they are made in the counting houses of New York, London, Berlin, and Paris. What informed man in this country does not know that the peace of Portsmouth would not have been made had Japan been able to procure the sinews of war? It is a fact that she was compelled to accede to peace with Russia because she had exhausted her resources.

Now, Mr. Chairman, I yield to no man, I hope, in patriotism and love of country. I do not speak as a southern man at all. I speak as an American citizen. And no one will go further than I to uphold the honor and the glory of this country; but I do not believe that it is necessary at this time to authorize the building of two additional battle ships, at a cost of \$25,000,000. And why? To-day we have six battle ships building.

I may say, not in a spirit of unfriendly criticism, that it takes entirely too long to build a battle ship in this country—nearly or quite three and one-half years. In other countries one-half of this time is sufficient. Take the strength of the United States Navy to-day, and, practically speaking, it is second to the naval strength of England. Another consideration, Mr. Chairman: In ten years a battle ship is obsolete and out of date. The battle ship *Oregon* of ten years ago is to-day practically worthless as an engine of destruction. Yes, the building of battle ships by this country more than we have is unnecessary. Battle ships are for aggression. I believe that the provisions in this bill for torpedo boats, torpedo-boat destroyers, and so on, engines for defense, should be the policy for us to pursue at this time. It has been said that we must prepare for war.

What nation would send its fleet to the coast of America? Would they not be met at the entrance of every harbor in this country by submarine and torpedo boats, and would not their ships be destroyed? And if worst came to worst, we would send for the Wright brothers to come home. The time has come when navigation of the air is in order.

I believe that voting out the provision in this bill for the construction of two more battle ships by the United States Government will make for the peace so much sought after by The Hague peace conference. When that conference meets again, it will not be met with the universal cry, truthfully made before, that while the nations of the world are crying peace they are preparing for war, each and every one of them all that it is able.

So, Mr. Chairman, the construction of two battle ships not being necessary now on the ground of public policy or necessity, I have offered the amendment in good faith; and I will say that in the ten years I have been in Congress I have believed in submarines and torpedo boats and engines of defense, and this country is equipped to-day. I do not believe that any enemy could come here, or if they did come, would remain very long with a flag hostile to us floating over them. [Applause.] In extending my remarks I will insert the following:

The following statement of reasons why our navy should not be enlarged is issued with the indorsement of a large body of the leading men of the country, including Charles Francis Adams, Jane Addams, Samuel Bowles, John Graham Brooks, Andrew Carnegie, James Duncan, President Faunce, of Brown University, A. B. Farquhar, Edwin Ginn, Washington Gladden, Edward Everett Hale, William D. Howells, Chester Holcombe, Prof. William James, Rev. Charles E. Jefferson, President Jordan, of Leland Stanford University, Bishop William N. McVicker, Marcus Marks, N. O. Nelson, Gen. William J. Palmer, Rev. Charles H. Parkhurst, George Foster Peabody, Bliss Perry, Dean Henry Wade Rogers, of the Yale Law School, Prof. William G. Sumner, Lincoln Steffens, Ida M. Tarbell, President Thwing, of Western Reserve University, President Thompson of the State University of Ohio, Booker T. Washington, Rabbi Stephen S. Wise, President Mary E. Woolley, of Mount Holyoke College, and others:

1. Because we have fought foreign foes, English, Spanish, and Mexican, only six years in the one hundred and twenty-five years since the Revolution. In every foreign war we made the first attack. With less danger from attack than any other nation, we are now spending more for past war and preparation for future war than any other nation in the world.

2. Because our extent of coast line has little relation to danger from attack. The Second Hague Conference has provided for immunity from bombardment of all unfortified towns and from levying contributions by threat of bombardment.

3. Because the Hague conference also provided for arbitration of disputes over contractual debts, thereby removing excuse for our keeping a navy to prevent forcible collection of such debts of South America to Europe.

4. Because a navy is less needed than ever to protect South America, as it is now perfectly capable of a defensive alliance among its nations to repel any wanton attack from outside. Reasons which made the Monroe doctrine necessary when there was a "Holy Alliance" and the weak South American republics were unconnected by telegraphs or railroads have no application when modern communications, soon to include the Panama Canal, and enormously increased population, wealth, and mutual friendship make them now far from eager to continue our overlordship. With the price of a few torpedo boats we might secure by education and diplomacy a federation of South American States.

5. Because there is no danger from China, a peace-loving nation friendly to us. Our return of the indemnity has done more to promote peace with her than anything else could do. According to the testimony of Ambassador Luke Wright, of Hon. John W. Foster, of Secretary Taft, and of over 100 missionaries to Japan, familiar with her language, customs, and politics, there is not the slightest foundation for the violent and frothy talk which is emanating from a few Americans against Japan and is poisoning the minds of millions of our uninformed citizens. Said Ambassador Wright: "The talk of war between this country and Japan isn't even respectable nonsense." The 100 missionaries say: "We desire to place on record our profound appreciation of the kind treatment which we experience at the hands of both Government and people. Our belief is that the alleged belligerent attitude of the Japanese does not represent the real sentiments of the people. We wish to bear testimony to the sobriety, sense of international justice, and freedom from aggressive designs exhibited by the great majority of the Japanese people." Nothing could do more to develop the opposite feeling than the baseless assumption and insulting statements published by certain irresponsible newspapers and military men.

6. Because of an excessive, unhealthy reliance on force in our country in recent years, which calls attention away from the real foes at home to supposititious foreign enemies. Its spirit fills the newspapers with reckless, unfounded suspicions and accusations, distorting historic statements, promotes constant talk about war and preparation for war, of maneuvers, promotions, and technical details, and makes us blind to the real sources of our greatest loss of life and property.

7. Because our three foreign wars since 1781, which lasted only six years, cost in life, all told, in battle, nothing comparable with our reckless slaughter by accidents every year in time of peace. The \$60,000,000 increase of the navy asked for last year, if spent in fighting disease, ignorance, waste, and wickedness at home, probably could save as much life and property as all our foreign and civil wars have cost. In five years we have lost alone by fire, largely preventable, \$1,200,000,000. In four years we have killed, by accident, largely preventable, 80,000 more than were killed on both sides in the four years of civil war.

8. Because we are already spending over 65 per cent of the Nation's revenue in payment for past war and in preparation for future war and have but one-third of our national revenue left for judicial and executive departments, coast guard, light-houses, quarantine, custom-houses, post-offices, census, waterways, forestry, consular and diplomatic service, and all other constructive work.

9. Because we have increased our expenditure for defense 200 times during a period when our population has increased only 22 times, our coast line perhaps 3 times, and our danger from attack not at all.

10. Because we are protected by nature as is no other country and have not the excuse for a great navy which England has nor for a strong army which Germany has. Our wealth is as great a protection as our geographical position. We supply our own necessities and are not dependent, as many nations are. General Sheridan said that no nation on the continent of Europe had sufficient ships to spare to bring over enough soldiers to carry on one campaign so far from its base of supplies.

11. Because we shall need no navy to protect the Philippines if we but ask the nations to pledge preservation of their autonomy when we grant them their independence. No nation could refuse or would dare wantonly break such a pledge made to the world. The neutralization, in this manner, of exposed places is one of the most successful methods of preventing war which we can further use. The pledge between the United States and Great Britain to remove battle ships and forts from our Canadian border has, since 1817, secured peace at no expense on over 3,000 miles of frontier. Without this pledge we should probably have had war. So long as this line is unguarded we shall never fight Great Britain.

12. Because all the great nations, in one place or another, are securing safety from territorial aggrandizement by pledging territorial inviolability. All the nations on the Baltic and North seas signed treaties in April, 1908, to respect each other's territory on those waters. Turbulent Central America has secured peace by similar methods. It is the method of the future.

13. Because, in spite of our strategic position and the fact that Europe largely depends on us for food, we are spending for defense more than France and only \$36,000,000 less than Germany and only \$66,000,000 less than Great Britain, which has possessions to protect around the globe and is unable to feed herself except by imports.

14. Because labor put into the construction of armaments could be better employed to increase our insufficient railroad capacity, and as many men could be employed in making rails and engines, of which we have too few to move our crops, as in making armor plate and instruments of destruction.

15. Because the recent arbitration treaties signed with Great Britain, France, Norway, Spain, Portugal, Switzerland, Japan, and Germany minimize the possibility of war with those countries, and we have no fear of any others.

16. Because, as was unanimously agreed at the arbitration conference in 1904, in Washington, attended by a great body of our most eminent public men, there is no question of "honor" or "vital interest" which can not be arbitrated, except, of course, that of autonomy, which can be secured by international pledge, and in our case is beyond menace. Some of the smaller nations have already agreed to arbitrate every question. There is no excuse for increased armaments until we have at least tried to get the great powers to pledge themselves to arbitrate every question with us.

17. Because we can secure far greater safety by expending on a peace budget a small amount every year—say one dollar out of every thousand voted for armaments. This method was recommended by the Interparliamentary Union and is worth more even than the ounce of prevention, which is worth a pound of cure. Courtesy and good will are more powerful than explosives in preventing war.

18. Because a national arrogance is growing in our country; and bumptious talk about our being "master of the Pacific," though there are ten other nations bordering on it, is leading a part of our press and people to insult and irritate other people with the sense of impunity in our impudence which a huge navy lends. We, as well as other nations, have found easy euphemisms to ease our consciences when using our military power to further our own ends. We shall be far less likely to be hotheaded and rash and to rush into needless war if we do not increase our navy. It is naive conceit to say that we are so peaceful and just that we can never be tempted to wage a needless war.

Said Secretary of State Sherman concerning the Spanish war: "We could have adjusted our difficulties without the loss of blood and treasure." Said Congressman Boutelle: "President McKinley, if Congress had left the matter to him, would have secured everything we wanted in Cuba without the sacrifice of one drop of American or Spanish blood."

19. Because our navy is already so large as to incite other nations to increase theirs. Our naval increase was quoted last year in the French Assembly as an argument for a French increase. This senseless rivalry is driving certain would-be customers of ours toward bankruptcy.

20. Because increase of our navy does not increase respect of foreigners for us. Respect can be given only to moral qualities. Our indifference to lawlessness and our civic corruption are well known abroad. We have no more moral influence than we had thirty years ago, when every monarchy in Europe was being sapped by our democracy. Plutocracy and militarism make us talked of and dreaded, but not respected. Many, perhaps, are glad that we are being hampered in our race for commercial supremacy by saddling ourselves with the Old World's military burdens.

21. Because our dignity no more depends on battle ships than upon light-houses or fire engines. We should feel pride if we are safe enough to dispense with a few. A European city built of stone rejoices that it does not need our costly fire apparatus. A large navy is a confession of conscious weakness or timidity.

22. Because increase of the navy is an implication that new dangers are in sight and old friends are to be suspected. It arouses rivalry and irritation with other nations. The two nations to-day who are the most armed are in the most danger of fighting. Just as Germany's and England's increase of naval power mutually irritates each other, so Japan's military skill has stirred the emulation of our jingoes, masking themselves under the concealed plea that we are par excellence the peaceful people of the world and can do no wrong with our navy.

23. Because "a decent respect for the opinion of mankind" ought to be more and more the controlling motive of nations as of individuals. A navy is but a small element in our defense even from foreign foes, to say nothing of defense from our far greater domestic dangers to life and property. We have been secure from attack with our fleet at the antipodes.

24. Because the demand for it comes chiefly from those who ignore the new substitutes for war and whose military training fits them only to kill enemies, but not to prevent friends becoming enemies. They understand explosives, but not human nature or politics or diplomacy or the methods which have produced the astounding bloodless revolution in Turkey; or the demand comes from the class which supplies im-



plements of war and surreptitiously keeps up war scares which the gullible voters make profitable to them.

25. Because declaration of nonintercourse embodied in treaties is a feasible and far more powerful force. We would better spend our energy in studying this new agent, advocated by Justice Brewer, of the Supreme Court, and other able men, now made possible by modern conditions of communication and politics. If one fifth of the \$60,000,000 asked for were spent on an educational campaign for a pledge of nonintercourse from England, France, and the United States against any nation which attacked one of them and refused to arbitrate, it would do more to keep the world's peace than all their navies. Were two of these strong nations previously to make public their signed agreements to withdraw diplomats and stop commerce upon wanton attack on the third power, no nation would ever attack the third. The declaration would suffice. This is a totally different thing from the old-fashioned embargo declared by one nation on another after war began. Even the unorganized Chinese boycotts, not backed by the Chinese Government, made us remove injustices and more recently coerced Japan. If in fifteen years 400,000,000 organized Chinese refuse to buy goods if they are ill treated, the greatest navies will avail nothing to get their markets.

26. Because new inventions in all probability will make existing armaments useless before Japan, even if she wanted to attack us, could recuperate from her financial drain sufficiently to do so. Airships may make battle ships useless.

27. Because an increase of the navy argues infidelity to the great achievements of The Hague conventions. It is childish inconsistent to create more force when better methods are being substituted for it.

28. Because every enlargement of the navy draws men from constructive work. It keeps them always on the outlook for the trouble which alone could give them the sense of being of real service and importance and getting promotions and honors. Advocates of large navies are notably skeptical about other methods than force for promoting peace and draw the attention of the public away from the quiet and effective to the old-fashioned methods which tickle eye and ear with noisy and spectacular effects.

29. Because by lowering excessive tariffs and thus promoting commercial fraternity we could do more for peace than through intimidation by armaments.

30. Because we have not the faintest ground to suspect there will ever be a war again with England so long as our northern frontier is free from her fortifications; nor with Spain, whose interests hereafter can not cross ours; nor with any of the other nations with whom we have always been at peace and who could fight us only at a range of thousands of miles from their base of supplies. We are especially secure, as Europe is dependent on us for a large share of her food supply, and the Orient has everything to lose and nothing to gain by attacking us. The "yellow peril" is a psychological obsession of a few scare-mongers \* \* \* that would excuse their cry for an increased navy.

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The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, the question before the House is this: The gentleman moves to strike out the authorization of two battle ships recommended by the committee to this House, and if this is stricken out there will be no battle ships authorized this year. I wish to say to this committee that the Naval Committee in its recommendation was not moved by any war scare. It did not believe that we would have war with any country, but it has recommended two battle ships instead of four battle ships, as recommended by the general board and the Secretary of the Navy, and also the President of the United States, in consideration of the fact that we believe that the people of this country were in favor of maintaining our navy on an efficient basis; and in order to keep our navy up to the standard of efficiency such as we have to-day it would be necessary for us to authorize two ships.

Another thing, the programme which was presented to the Naval Committee by the Secretary of the Navy would have cost in the neighborhood of \$70,000,000, but this programme recommended by the Naval Committee will cost only about \$27,000,000, less than one-half. From these facts you will see that our committee, in its recommendation, has been reasonably fair and sensible, and not moved by any of the mysterious sentiment floating about that we are on the verge of war.

I sympathize with a great deal that the gentleman from Ohio [Mr. BURTON] has said. I would like to see that bright dream of Tennyson's realized—

When the war drums shall beat no longer,  
And the battle flags shall be furled.

But we have not reached that stage of perfection yet; we have not reached that stage of perfect liberty yet; we have not reached that stage of enlightenment wherein the gentleman of Missouri [Mr. BARTHOLOMEW] has said the greatest defense of the country will be the enlightenment of mankind. We must legislate here as we find people are, and not as we hope they will be some day. We must legislate as nations are and as nations exist to-day, and not as they may be in the far-off future.

Mankind has been a proper all the way along the pathway of human liberty, trying to reach the highest stage of perfection. But it behooves us, as practical legislators, to-day to view nations and people as we find them, and to legislate on that basis.

Now, we have, as a Nation, great interests which need protection. We have interests upon this hemisphere; we have not only the defense of our own coast line, but the defense of the

great canal which we are building, and we have also the maintenance of the Monroe doctrine to uphold. We have also interests upon the other hemisphere which we are bound, as a Nation, to protect and defend. We hold the Philippine Islands, and yet it was only a few years ago when the distinguished Admiral of our Navy, appearing before the Naval Committee, said that we could not hold those islands for six weeks if it were not for the American Navy.

So I say to you here and now, in view of these facts, if we have these mighty interests to protect and defend, it behooves this committee to vote for at least two battle ships in order to keep and maintain our navy up to the splendid high state of efficiency which it enjoys to-day, and I trust, therefore, Mr. Chairman, that the motion of the gentleman from South Carolina will be voted down. [Applause.]

The CHAIRMAN. The time for debate on this paragraph has expired.

Mr. MACON. Mr. Chairman, I offer the following amendment as a substitute.

The CHAIRMAN. The gentleman from Arkansas offers an amendment by way of a substitute, which the Clerk will report. The Clerk read as follows:

Amend the amendment by substituting:

"One first-class battle ship, to cost, exclusive of armor and armament, not exceeding \$6,000,000, similar in all essential characteristics to the battle ships in the act making appropriation for the naval service for the fiscal year ending June 30, 1908."

Mr. BURTON of Ohio. Mr. Chairman, I suppose, from a parliamentary standpoint that amendment is in order, although there may be some question in regard to that. Really the present amendment should be voted upon first, and then, if the gentleman desires to present that as a substitute, he can do so. I trust he will withdraw his amendment.

Mr. FOSS. Mr. Chairman, I think the substitute is in order first.

Mr. MACON. The substitute, as I understand it, is in order now. We have been told many times upon this floor that legislation was a matter of compromise—

The CHAIRMAN. Debate is out of order.

Mr. MACON. And this seems to be a compromise between two battle ships and none.

The CHAIRMAN. The gentleman from South Carolina [Mr. FINLEY] offered an amendment to strike out all of the paragraph under consideration after certain words named in the paragraph. The gentleman from Arkansas [Mr. MACON] offers an amendment as stated by him by way of substitute, which amendment, however, is designed to perfect the paragraph in the bill. Under the well-recognized principles of parliamentary law a motion to protect the text of the bill is to be voted upon before the motion to strike out. The question is, therefore, on the amendment of the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from South Carolina.

Mr. TAWNEY. Mr. Chairman, I ask that the amendment be again reported.

There was no objection, and the amendment was again reported by the Clerk.

The question was taken; and on a division (demanded by Mr. FINLEY) there were—ayes 80, noes 160.

So the amendment was rejected.

Mr. BURTON of Ohio. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

On page 59, line 7, strike out "two" and insert "one;" also substitute "ship" for "ships;" also, in line 9, strike out the word "each."

Mr. BUTLER. Mr. Chairman, against that amendment I make a point of order.

The CHAIRMAN. The gentleman from Pennsylvania will state the point of order.

Mr. BUTLER. The point of order is this: That on this proposition, as near as I can hear the amendment offered by the gentleman from Ohio, the committee has already passed in voting upon the amendment offered by the gentleman from Arkansas.

The CHAIRMAN. It may be that the amendment is in effect the same, but the amendment in form is different, and it is not for the Chair, the Chair thinks, to determine the effect of the amendment. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Without objection, on the request of Mr. COCKRAN, the amendment was again repeated.

The question was taken; and on a division (demanded by Mr. BURTON of Ohio) there were—ayes 108, noes 174.

Mr. BURTON of Ohio. Mr. Chairman, I demand tellers. Tellers were ordered, and the Chair appointed Mr. BURTON of Ohio and Mr. Foss.

The committee again divided; and the tellers reported—ayes 108, noes 158.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Five torpedo-boat destroyers, to have the highest practicable speed, and to cost, exclusive of armament, not to exceed \$800,000 each.

Mr. MACON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 59, strike out all of lines 13, 14, and 15.

Mr. MACON. Mr. Chairman, I have read a great deal about torpedo-boat destroyers, but I have never yet read or heard of any useful thing that they have done in connection with any of the naval contests of the world. I believe that the appropriation for two battle ships at this time will satisfy the demands of the people for an increase of the navy. I think it will serve every purpose that could be considered necessary to the perfection of an efficient navy. I do not believe that these torpedo-boat destroyers, five in number, are necessary, and I think it therefore an unnecessary expenditure of \$800,000 at this time. A few moments ago I offered an amendment providing for the construction of one battle ship instead of two. I did that as a matter of compromise, understanding that all legislation had here is a matter of compromise. I believe that the American people want something done in the way of an appropriation for the further construction or extension of the navy each year. My amendment being voted down, I then voted for the construction of two, as recommended by the committee, feeling that the American people demand that something be done in behalf of the increase of the navy. But now that the House has appropriated for two large battle ships, I do not deem it wise to further prosecute the matter at this time by appropriating \$800,000 for a lot of torpedo-boat destroyers, which, as stated a while ago, I have failed as yet to hear of ever having accomplished anything great in naval warfare.

Therefore, I hope the amendment will prevail. Nobody is afraid of Japan that I know of in this country, Mr. Chairman. There is no more opportunity for Japan to vanquish the American people, either upon land or upon sea, than there is for an inferior race in the southern clime of this Nation to overcome the proud Caucasian race that dominates it now and will forever do so.

Mr. FOSS. Mr. Chairman, I understand the gentleman's proposition is to strike out the five torpedo-boat destroyers recommended by the committee. I want to state that in the recommendation made by the General Board, the Secretary of the Navy, and the President there was recommended ten torpedo-boat destroyers, but the committee have only recommended five in this bill. They are very important craft and are used as scouts in attacking a vessel. It is a very serviceable boat, indeed, and inasmuch as we are asking for a few of them, a reasonable number, and in view of the fact we are deficient in these torpedo-boat destroyers, I trust that this committee will vote down the proposition of the gentleman from Arkansas.

Mr. MACON. Will the gentleman yield to me for a question?

Mr. FOSS. Yes.

Mr. MACON. Can the gentleman tell me where a torpedo-boat destroyer has ever taken any effective part in a naval engagement?

Mr. FOSS. Yes; in the Japan-Russian war.

Mr. MACON. Oh, that has been exploded. The newspapers said a torpedo boat had something to do with that battle, but afterwards that was exploded in a subsequent report.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized, in his discretion, to contract for or purchase one destroyer whose vitals are located below the normal load water line, such vessel to cost not to exceed \$400,000 and to have a speed not less than 22 knots; also two small vessels of similar construction having a speed of not less than 16 knots and to cost not to exceed \$22,500 each: *Provided*, That before any vessel provided for in this paragraph shall be purchased or contracted for a vessel of similar construction shall have been constructed complete and of full size for naval warfare and submitted to the Navy Department for such trial and tests as the Secretary of the Navy may, in his discretion, prescribe, and as the result of such tests be demonstrated to have fulfilled all the reasonable requirements of naval warfare for such a vessel.

Mr. STAFFORD. Mr. Chairman, I wish to reserve a point of order on the paragraph just read. I would like to ascertain

from some member of the committee whether there has been any recommendation by the naval board for the construction of destroyers of the type provided for in this section?

Mr. FOSS. No.

Mr. STAFFORD. I fail to find any such recommendation in my reading of their report, and I did not know whether there was any outside recommendation.

Mr. FOSS. This was not recommended by the Navy Department, but I think they would like very much to have such a boat built.

Mr. STAFFORD. On what basis does the chairman of the committee come to such conclusion if they have not recommended it in their report here and there is no recommendation whatever to the committee in writing?

Mr. FOSS. The gentleman will notice the language here. It is that the company build one boat and submit it to certain tests, and in case it comes up to those tests the Navy Department will buy the craft.

Mr. STAFFORD. The gentleman has not answered the query propounded to him. Upon whose recommendation has this proposal been included in the bill? He said it is not the recommendation of the Navy Department, nor is it contained in the recommendations of the naval board. Is it merely an idea of some outsider, or some member of the committee, or upon whose request has this action been taken?

Mr. FOSS. There was a member of the committee who was very desirous that this should go into the bill, I will say to the gentleman, the gentleman from Alabama [Mr. Hobson].

Mr. ROBERTS. Mr. Chairman, perhaps I can give the gentleman a little light on the proposition. I think it was a year ago that the committee gave a hearing to people interested in the construction of this particular type of torpedo-boat destroyer, and as a result of that hearing the committee incorporated in last year's bill a provision, if my memory serves, for three boats of this type. That went out on a point of order. One member of our committee, who was interested in the proposition last year, was also interested this year, and, if I am correctly informed, it was upon his request that the proviso was again inserted in the bill. It is thought this is a solution of the torpedo-boat destroyer question. If the proposition becomes a law and if the people who build the boat of this type construct one which meets with the requirements of the Navy Department, the Navy Department may then purchase it. If it does not meet the requirements, they are under no obligation to purchase, and the Government is not put to any expense whatever. That is all the light I think any members of our committee can throw on this proposition. The clerk of the committee informs me that it was in evidence that a model of this type of boat had been successfully tested.

Mr. STAFFORD. Mr. Chairman, I question very much whether, in the existing condition of the government's finances, it is a proper time to launch upon any experimentation in new types of torpedo destroyers. Certainly we should not adopt as a part of the naval bill provisions for untried destroyers without having the recommendation of any person whatsoever connected with the Navy Department. Many of the recommendations of this naval board have been passed over by the committee, such as scout cruisers and other character of fighting force, and I feel compelled under existing circumstances to make the point of order against the paragraph for the reason that it is new legislation and in violation of paragraph 2 of Rule XXI. This same provision was passed upon last year when the matter was under consideration by the committee, and was then ruled out of order. I call the attention of the Chairman to the ruling in a similar matter on page 4828 of the Record of the first session of this Congress.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

One fleet collier, of 14 knots trial speed, when carrying not less than 12,500 tons of cargo and bunker coal, to cost not exceeding \$1,000,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. As I understand it, this section must be considered in connection with the section following, which seeks to alter existing law by—

Mr. LOUDENSLAGER. This has nothing to do with that.

Mr. STAFFORD. I recognize it is a separate provision, but in the decision of this question must you not also consider the effect of the following section, whereby you make available the amount of money that was last year provided for two fleet colliers so that you may purchase four?

Mr. FOSS. No.



Mr. STAFFORD. As I understand the recommendation of the naval board, they request three additional fleet colliers, and in this paragraph you make provision for one of those, and in the next paragraph you seek to make provision for the additional two by making applicable the money that was voted last year for two, so as to construct four by reason of the low bids that were offered by private concerns.

Mr. FOSS. This fleet collier that we recommend here has no relation to the other four whatever.

Mr. STAFFORD. Would not the committee be somewhat swayed in their determination of this question if they knew the following paragraph would be in order whereby two additional fleet colliers would be provided, whereas this paragraph would provide, in addition, a third one?

Mr. FOSS. I do not think it would operate to change the committee's mind at all.

Mr. STAFFORD. May I ask whether the committee does not recommend in effect three additional fleet colliers of the same type that is provided in the paragraph under consideration?

Mr. FOSS. The committee recommend one fleet collier, and then it recommends that out of the money authorized last year, and to be authorized for the two fleet colliers which were authorized last year, that that appropriation be used to purchase four colliers by private contract at the same price.

Mr. STAFFORD. So the committee, in effect, recommends the addition to our naval fleet of three fleet colliers?

Mr. FOSS. It recommends the addition of two fleet colliers without an additional appropriation.

Mr. STAFFORD. I am dismissing entirely the question of the appropriation, for in the determination of the size of our fleet we are not guided entirely by appropriation, but more by the needs of the service, and the naval board has recommended, as I understand the recommendation of the naval board, three fleet colliers. I understand the chairman of the committee to admit now that the committee recommends the addition of three fleet colliers to those already authorized in the present paragraph and that which follows.

Mr. FOSS. There is no dispute on that.

Mr. STAFFORD. I understood at the beginning that the gentleman took issue with that statement. The board recommended three colliers in all, and appropriation in this paragraph is made for one.

Mr. FOSS. Because on the concession of last year there is enough to buy two colliers.

Mr. STAFFORD. I am quite well acquainted with the argument and the reasons that induced the committee to provide for four colliers in place of two authorized last year, and the committee has recommended three colliers instead of one.

Mr. DAWSON. Does the gentleman from Wisconsin assume that three is too many?

Mr. STAFFORD. I am trying to ascertain whether, if the increase in the next paragraph is stricken out, the committee would not recommend, as it does in fact, three fleet colliers; and if it does, this matter should be taken into consideration on the pending paragraph of whether we should recommend one collier. This paragraph should be taken in consideration with the recommendation following in the next paragraph providing for two additional fleet colliers. I therefore believe that the two are inseparably connected, and I move that the present paragraph be considered in connection with the paragraph which follows.

Mr. FOSS. I hope that will be voted down.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn.

Mr. FITZGERALD. I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will read.

The Clerk read as follows:

On page 60, line 10, strike out "one million" and insert "nine hundred thousand."

Mr. FITZGERALD. Mr. Chairman, I wish to call the attention of the committee to a very remarkable condition. Last year the committee reported in favor of building two fleet colliers similar in every respect to the one authorized in this paragraph. It placed a limit of cost upon these two fleet colliers of \$1,800,000 each. The committee did that, I assume, upon information furnished to it that the cost of these colliers would be about \$1,800,000. When the bill came into the House, the House, in Committee of the Whole, provided that one of these colliers should be built in a government navy-yard, and that provision was finally incorporated into the law. As soon

as it was ascertained that one of these vessels would be built by a government navy-yard, the private contractors offered to construct either two or four of these vessels, not at the price, or near the price, fixed in the bill, but for one-half the limit of cost placed upon these vessels by the committee. If it be possible to obtain two of these vessels for \$900,000 each, or four of them for \$900,000 each, perhaps members of the Naval Committee will explain why they placed a limit of cost upon this particular vessel of \$100,000 in excess of what they know they can get a contract?

These patriotic shipbuilding concerns of the United States, cooperating with some well-informed officials in the Navy Department, were willing to build these ships at a cost of about \$1,800,000. If they can take this one ship placed for construction at a government yard out of the government yard, they will build four of them for \$900,000 apiece. For the additional ship they want an extra \$100,000. It seems to me that if they can build four of these ships for \$900,000 each, they should build five of them for \$900,000 each. If they can build two ships, authorized last session, for \$900,000 each, they can build one ship authorized last year, and this particular ship in addition, for \$900,000 each. This seems to be a clear invitation to the shipbuilders and to the department to waste—oh, not exactly to waste but to donate \$100,000 to some particular concern for doing work for a million dollars, when it has already been disclosed that it can be had for \$900,000. In view of these facts, I hope the committee will adopt this amendment and put a limitation of cost upon this particular vessel of \$900,000.

Mr. COX of Indiana. Will the gentleman allow me to ask whether or not it is a fact that one of these colliers is now being constructed for something like \$825,000?

Mr. FITZGERALD. I have not the figures. I do not know what the bid was, but I understand that these shipbuilding plants are willing to build two for \$1,800,000, both authorized last year, and they want to get something additional for the one authorized this year. In view of this showing that they can build for \$900,000, it is inconceivable to imagine upon what theory the committee increased the limit of cost, except its extreme solicitude for the poor persons engaged in the business of building ships for the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX of Indiana. I am heartily in favor of the amendment offered by the gentleman from New York, because I believe these colliers can be built a great deal cheaper than proposed in this bill. When we had a hearing before the Committee on Merchant Marine, a gentleman who appeared there stated, I think, that they had a contract to build one of these colliers, and that they had taken the contract, if I remember correctly—and I have no desire to misquote the gentleman's statement—for \$825,000.

Now, it strikes me that if a private contractor has agreed to build the collier in question for \$805,000 (and that was the statement made by the gentleman who represents one of the private shipbuilding concerns in the United States, made before the Merchant Marine Committee), we are paying too much for the construction of these colliers.

Mr. BATES. I should like to ask the gentleman a question. You say we appropriated \$1,800,000 last year.

Mr. FITZGERALD. No; we appropriated \$1,500,000 on account of two ships, but the cost limit of each ship was placed at \$1,800,000.

Mr. BATES. But we did not spend it, did we?

Mr. FITZGERALD. No; but it would have been spent if the House had not put in the provision for navy-yard competition that it did.

Mr. TALBOTT. The one being built in the navy-yard cost \$800,000 more than the one being built under private contract.

Mr. FITZGERALD. In my opinion, the gentleman is mistaken.

Mr. FOSS. Mr. Chairman, I desire to say that I have here a letter from the Secretary of the Navy, written on the 18th of January, in which he says:

NAVY DEPARTMENT,  
Washington, January 18, 1909.

Sir: In compliance with your request by telephone to-day, I transmit herewith for your information a copy of the schedule of bids received for the construction by contract of one of the colliers authorized by the naval appropriation act of May 13, 1908, together with a copy of the form of proposal issued by the department and used by the bidders.

Very respectfully,

TRUMAN H. NEWBERRY,  
Secretary.

Hon. GEO. EDMUND FOSS,  
Chairman Committee on Naval Affairs,  
House of Representatives.

The bids referred to are as follows.

Proposals for the construction of a steel steam collier. No. 4. "Cyclops."  
Advertisement dated October 9, 1908. Bids opened December 15, 1908.

Name of bidder.	Price.	Remarks.
Newport News Shipbuilding and Dry Dock Co., Newport News, Va.	\$790,000	Bid 1. Vessel to be completed within 16 months. Certified check, \$36,000. Contemplates that department use designs of bidder in building collier on Pacific coast, with no extra charge on account of patented invention.
	825,000	Bid 2. To be completed within 16 months. (Check with previous bid.)
Fore River Shipbuilding Co., Quincy, Mass.	933,000	Bid 1. Vessel to be completed within 15 months. (As per specifications, p. 48, par. 182.) Certified check, \$36,000.
	954,000	Bid 2. To be completed within 15 months. (As per specifications, p. 48, par. 182.) (Check with previous bid.)
New York Shipbuilding Co., Camden, N. J.	1,074,000	Vessel to be completed within 15 months. Proposal for supplying Lidgerwood coaling apparatus, \$30,000 additional.
Maryland Steel Co., Sparrows Point, Md.	993,800	Bond for \$36,000. Class 1. Vessel to be completed within 16 months.
	1,011,400	Bond for \$36,000. Class 2. To be completed within 16 months.
	1,027,850	Class 3. To be completed within 16 months.
The William Cramp & Sons Ship and Engine Building Co., Philadelphia, Pa.	805,000	Bid 1. Vessel to be completed within 20 months. Bond for \$36,000.
	775,000	Bid 2. To be completed within 20 months.

Publicly opened at the Navy Department, December 15, 1908, in the presence of the Secretary of the Navy.

PICKENS NEAGLE,  
Law Clerk for Solicitor.

Proposal for the construction of a steel steam collier of about 12,500 tons cargo and bunker capacity.

TO THE SECRETARY OF THE NAVY,  
Washington, D. C.:

Having carefully examined the circular issued by the Secretary of the Navy under date of October 8, 1908, defining the chief characteristics of a collier to be built by contract for the navy, and the outline type plans mentioned in said circular, the provisions of the acts of Congress quoted in said circular, and the form of contract for the construction of said vessel provided by the Secretary of the Navy, and having received all information in the premises essential to a full understanding of the obligations incurred, or to be incurred, under and by virtue of this proposal, we, \_\_\_\_\_, do hereby propose, under the department's advertisement of October 9, 1908, to construct and complete, within \_\_\_\_\_ months from date of contract, at \_\_\_\_\_, and deliver to the Navy Department, in the manner and upon the terms and conditions stated in said circular and form of contract, a steel collier, including hull, fittings, machinery, outfits, and equipment complete, to be constructed in accordance with the drawings, plans, and specifications and other information herewith submitted, and to have a speed of 14 knots an hour when carrying not less than 12,500 tons of cargo and bunker coal, for the sum of \_\_\_\_\_.

Also, we hereby consent and agree that in the event of the acceptance of the foregoing proposal the Secretary of the Navy may, so far as he desires, use in the construction of a collier at any navy-yard the design and the detailed drawings and specifications of the vessel covered by said proposal without extra compensation in addition to the above-stated price; and in consideration of said sum we further agree to waive compensation in any and every form for the use or adoption of any and all patented features of said design, drawings, and specifications, and to protect and discharge the Government from and against any and every claim for or on account of the use of any and all patented features embodied in the general design of hull and machinery, but not including patented details furnished by subcontractors, such as winches, pumps, steering and anchor engines, etc.

The drawings, plans, and specifications herein designated and the aforesaid circular and form of contract are to be deemed and taken as part of this proposal.

In case this proposal shall be accepted, we hereby agree to enter into contract, within ten days from receipt of notice of such acceptance, for the construction of said vessel, in accordance with said circular, drawings, plans, specifications, form of contract, and this proposal, and within the same period to give bond, with security to the satisfaction of the Secretary of the Navy, in a penal sum equal to 15 per cent of the amount of bid for the faithful performance of such contract.

This proposal is accompanied by evidence of our competency to perform the work required and also by a \_\_\_\_\_ for the sum of \_\_\_\_\_ dollars, as required by the instructions to bidders herewith, which \_\_\_\_\_ is hereby declared to be subject to the conditions stated in said instructions.

Witness our hand and seal at \_\_\_\_\_, the \_\_\_\_\_ day of December, 1908.

In presence of—

Insert "bond" or "check," whichever is appropriate.

#### ADVERTISEMENT.

Proposals for constructing by contract one steam collier (fleet collier No. 4, *Cyclops*) will be received at the Navy Department until 12 o'clock noon, December 15, 1908, when they will be publicly opened. Circular defining chief characteristics of such vessel and outline type plans are now ready for distribution among prospective bidders. Forms of proposal and contract may be had on application to the department after November 15.

V. H. METCALF, Secretary.

OCTOBER 9, 1908.

#### INSTRUCTIONS TO BIDDERS.

##### GENERAL PROVISIONS.

The foregoing proposal constitutes an obligation that becomes operative on acceptance. Special care should be taken to avoid any informality that might, by rendering the proposal liable to rejection, tend to the disadvantage of both the bidder and the Government.

Each proposal must include the construction of both vessel and machinery, complete in all respects, and must be accompanied by complete plans and specifications covering fully the design submitted, with full description of all special features and statement as to the registration society under the inspection of which the vessel is to be built.

Contract will be made for the vessel, including hull and machinery. Defective proposals will not be considered unless the Secretary of the Navy shall deem it for the interest of the Government to waive the defect.

Each bidder must submit with his proposals a certified check, payable to the order of the Secretary of the Navy, or a bond, with satisfactory surety or sureties. Such check or bond shall be for the sum of \$36,000. In case the successful bidder shall fail to enter into contract and furnish the requisite security upon the acceptance of his proposal, the certified check submitted with his bid shall become the property of the United States, or in case bond is given the United States may recover as liquidated damages the sum named in such bond. All checks or bonds of bidders whose proposals shall not be accepted will, on the award of the contract, be returned to them, and the check or bond of the successful bidder will be returned to him when his contract shall have been duly entered into and the requisite security furnished.

Proposals must be made in duplicate and will be received until 12 o'clock noon December 15, 1908.

The right is reserved to reject any or all bids as, in the judgment of the Secretary of the Navy, the interests of the Government may require.

##### FILLING IN OF BLANKS.

1. Carefully fill in all blank spaces.

2. In case of proposal by a firm or company not incorporated, the appropriate blank should be filled in a manner corresponding to the following form:

"We, the undersigned, John Doe, of the city of \_\_\_\_\_, County of \_\_\_\_\_, and State of \_\_\_\_\_, and Richard Roe, of the same place (or of \_\_\_\_\_, as the case may be), constituting the firm and doing business at \_\_\_\_\_ under the firm name of John Doe & Co."

The Christian names of individuals should be inserted in full, except that where there is a middle name the initial letter alone of such middle name is sufficient.

3. In case of proposal by an individual, the foregoing directions should be followed as far as applicable, substituting "I" for "we" wherever the latter occurs.

4. In case of proposal by an incorporated company, the same blank should be filled in a manner corresponding to the following form:

"We, the American Iron Company, a corporation created under the laws of the State of \_\_\_\_\_, and doing business at \_\_\_\_\_."

5. The name of the place at which the proposal is signed, as, for instance, "Chester, Pa.," and the date of signing are to be inserted in the blanks left for that purpose.

6. The amount, both in figures and at length, for which it is proposed to do the work, is to be inserted in the appropriate place.

##### MANNER OF SIGNING PROPOSALS.

1. In case of proposal by a firm or company not incorporated, each member of the firm will sign individually with his full name, except that his middle name, if any, may be indicated by initial only or otherwise, according to his customary manner of signing. Each signer will add, below his signature, the place of his residence.

2. In case of proposal by an incorporated company, the same will be signed by the officer who is, by the act of incorporation, the by-laws, or a special resolution of the board of directors or trustees, authorized to sign for the company. In either case a certified copy of the authority must accompany the proposal. The official seal of the company will be placed opposite the signature and attested by the proper officer; and the proposal should be accompanied by suitable evidence of incorporation, which may be either a copy of the act of incorporation, certified under seal by the officer with whom it is filed, or his certificate under seal that such company was on the date mentioned duly incorporated under the general laws of the State in which such company is located.

3. Subscribing witnesses will, when there is more than one signature, add, "Witness as to all the signatures" or "Witness as to the signature of \_\_\_\_\_," giving name of person signing in his presence.

4. When the form of proposal has been properly filled up and signed, it must be forwarded in a sealed envelope, addressed to the "Secretary of the Navy, Navy Department, Washington, D. C.," and indorsed "Proposal for building collier."

Mr. FITZGERALD. On that information, does the gentleman not think \$900,000 is an ample limit of cost? Of course, if it is placed at \$1,000,000, then it will certainly make bids higher; but the gentleman has read several bids of less than \$800,000. Why not keep the limit of cost below \$900,000?

Mr. LOUDENSLAGER. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. FOSS. I yield to the gentleman from New Jersey.

Mr. LOUDENSLAGER. Mr. Chairman, I am very glad that the gentleman from New York has made his motion at this particular point, and has given to the committee his words of wisdom regarding the construction of colliers, if not toward cutting down the amount of the appropriation; for it seems certain that if the members of the committee have read last year's bill they must realize that even an authorization by Congress of \$1,800,000 has not prevented some shipbuilding plants in this



country bidding for the work at less than \$900,000. And I might say for the benefit of the gentleman from New York and of the committee that as one member of the committee I have no objection to making this reduction in the amount authorized.

Mr. FITZGERALD. I did not believe the gentleman would object.

Mr. LOUDENSLAGER. The suggestion carries greater weight with it as to the next paragraph, and the question will be put to this House, no doubt, whether its Members are willing to carry out the provisions of the next paragraph, where practically, in substance and effect, if the law of last year is not repealed, we give to some place in this country the benefit of \$900,000 on one collier.

Mr. FOSS. Built in a navy-yard.

Mr. LOUDENSLAGER. It is a matter that this House should consider well, and I certainly hope that the motion made by the gentleman from New York [Mr. FITZGERALD] will be carried unanimously, because that will be an expression that this House does not want ruthlessly to give away the money of the people of the United States.

Mr. MADDEN. Mr. Chairman, I move to amend the amendment offered by the gentleman from New York as follows: On page 60, line 10, making it \$800,000.

The CHAIRMAN. The gentleman from Illinois offers an amendment to the amendment of the gentleman from New York, which the Clerk will report.

The Clerk read as follows:

Strike out the word "nine" and insert the word "eight," so that it will read "\$800,000."

Mr. MADDEN. Mr. Chairman, the chairman of the Naval Committee, in response to an inquiry, read to the House a letter from the Secretary of the Navy in which was submitted a list of bids under which it was proposed to construct one, two, three, or four colliers at a price as low as \$775,000. In view of the fact that a responsible shipbuilding company is willing to contract to construct these ships at \$775,000 each, there is no justification for an appropriation placing the limit at \$900,000. If the executive officers of the Government are able to secure bids for the construction of ships as low as \$775,000 from reputable, responsible sources, they are in duty bound to accept those bids, and they are also in duty bound to see that the contract is so made as to give the Government ample protection.

Mr. KAHN. Will the gentleman yield for a question?

Mr. MADDEN. Certainly.

Mr. KAHN. Was the bid of \$775,000 upon plans made by the Government or upon their own plans?

Mr. MADDEN. The gentleman who represents the Committee on Naval Affairs on the floor of this House did not take the Committee of the Whole House into his confidence, and so I am not able to answer the question of the gentleman from California. I assume that when the chairman of the Committee on Naval Affairs rises in his place in response to a question and gives information to the House, that he gives that information in good faith; and when he says that the Government is able to secure bids for the construction of certain ships at a given price, the price is satisfactory to the Government. Whether the plans be made by the Navy Department or whether they be made by the men who make the bids makes no difference whatever if what is proposed to be done is the same in each instance. It is our duty to save every dollar we can to the Treasury of the country.

Mr. DAWSON rose.

Mr. GAINES of Tennessee. Mr. Chairman, I would like to say a word.

Mr. DAWSON. Is the gentleman in favor of the proposition?

Mr. GAINES of Tennessee. I do not know whether I am in favor of the proposition or not. I want a little light.

Mr. DAWSON. I am opposed to it.

Mr. GAINES of Tennessee. I would like to ask how much the colliers cost before we began to provide that some of them might be built in the government yards.

Mr. FITZGERALD. It was estimated that they might cost \$1,800,000, but when we provided that one of them might be built in the government yards, then the Government secured bids of less than \$800,000.

Mr. ROBERTS. Mr. Chairman, I would like to say to the gentleman from Tennessee that three or four years ago Congress authorized two fleet colliers, the limit of cost being \$1,500,000 each, one to be built in a navy-yard and the other by contract. That was the last action of Congress, except that of last year, and, as we know, nothing has been done under that \$1,800,000 limitation.

Mr. GAINES of Tennessee. Why not?

Mr. ROBERTS. I can not tell you why. I apprehend, however, that the colliers authorized last year with the limit of

cost at \$1,800,000 are colliers of a larger burden and a larger cargo capacity. My recollection is that the *Vestal* and the *Prometheus*, the two colliers I referred to a moment ago, carried a cargo of 5,000 tons. The colliers we authorized last year were to carry about 12,000 tons cargo, a much larger ship, and of course the price is somewhat larger in proportion.

Mr. KNOWLAND. Will the gentleman from Tennessee allow me?

Mr. GAINES of Tennessee. Certainly.

Mr. KNOWLAND. I notice, in reading the testimony of Secretary Newberry, he makes the statement that these colliers are 2 knots slower speed, and consequently have considerably less power and are considerably less expensive. I think that must account for the difference in the cost.

Mr. GAINES of Tennessee. Now, Mr. Speaker, a few years ago we began to create competition by allowing a lot of vessels to be built in government yards and others in private yards. The result was, as shown by the gentleman's statement a few minutes ago, that we are getting bids hundreds of thousands of dollars less than we did three or four years ago, before we began that policy.

Now, gentlemen, you are about to turn back to the old policy by permitting the Secretary of the Navy to build all the ships in private yards. If you are going to abandon the wise policy of letting the Government build some of these ships, as in the case of government ammunition and munitions of war, if you abandon the wise policy you adopted, you certainly ought to put in this bill a limitation that the gentleman from New York has proposed, or something of that kind. You ought to do that, so that the Government, so that the Treasury, when it is distressed, as it is, may not be held up later calling for a deficiency to pay for vessels that cost more than is fair and reasonable. The present policy should be pursued. It has done well, as the facts show. We fought long and hard to get this policy started, and I am opposed to stopping.

I call this history to the attention of the committee, and insist, by way of accentuation, that if this policy which we have pursued so wisely for three or four years be abandoned, a limitation had better be put on to keep from being held up by these private concerns.

Mr. DAWSON. Mr. Chairman, I am just as anxious as the gentleman from New York [Mr. FITZGERALD] or the gentleman from Illinois [Mr. MADDEN], both distinguished members of the Committee on Appropriations, to secure these colliers at as reasonable cost as possible; but one fact ought to be taken into account, and that is the testimony which was submitted to the Committee on Naval Affairs, which shows the reason why we are now receiving these exceptionally low bids for the colliers. It was stated before our committee by the Secretary of the Navy himself that, in his judgment, by reason of the present condition in the private shipyards of the United States, these shipyards were bidding for this work not simply at cost, but actually below cost. That being so, we ought to take advantage at this time of present conditions; but I desire to call the attention of the gentleman from New York [Mr. FITZGERALD], who has offered the amendment, as well as the gentleman from Illinois [Mr. MADDEN], who has made an amendment thereto, to the fact that if they are to take advantage of the present low prices in private shipyards, an amendment should be offered to the amendment providing that the money be made immediately available, because—

Mr. FITZGERALD. Let me ask the gentleman this question: Does he know that there are now pending before one of the committees of this House claims by these shipbuilding concerns aggregating nearly \$4,000,000 to reimburse them for losses they claim they made by taking contracts at a less price than they should have taken them?

Mr. DAWSON. That is not to the point. I call the attention of the gentleman to the fact that before the Committee on Naval Affairs Mr. Secretary Newberry testified we could get these low figures now, but he had no assurance that he could obtain these low figures on the 1st day of July, when the money in this bill would be available. The committee did not put in a provision making the money immediately available, because we have witnessed the spectacle in this House of one particular committee opposing and raising points of order with regard to that particular provision. If the gentlemen from that committee are sincere in their desire to save the Government a hundred thousand dollars, then I submit that they should add as a part of their amendment another amendment making the appropriation immediately available, in order that the Secretary of the Navy may take advantage of existing conditions.

Mr. FITZGERALD. Is the gentleman aware of any conditions that now exist or that are likely to arise between now and

the 1st of July that would change the conditions in the ship-building plants of this country, so that they will then be in a position where they will not have to seek this work at a specially low price?

Mr. DAWSON. I can not tell what conditions may arise, but in this particular bill we are proposing to purchase four colliers from private yards.

Mr. GAINES of Tennessee. If we get steel on the free list, that will help them, I think.

Mr. MADDEN. The gentleman seems to be anxious to save what money can be saved.

Mr. DAWSON. Yes; we are in accord on that.

Mr. MADDEN. Then there ought not to be any objection to the amendments pending before the House if the gentleman is in favor of economy. Why make the argument that these amendments are embarrassing to the department if it is good business policy to economize, in view of the fact that we already have bids for \$775,000 for the construction of each one of these colliers?

Mr. DAWSON. Let me read to the gentleman what the Secretary of the Navy said on that point.

Mr. MADDEN. The point I am referring to is the statement made by the chairman of the Committee on Naval Affairs, as coming from the Secretary of the Navy, to the effect that bids have been made and are now in his possession offering to construct the ships for \$775,000 each.

Mr. DAWSON. If the gentleman wants me to shed light on the subject, he will first have to turn off his own powerful searchlight.

Mr. MADDEN. I am asking for information which the gentleman possesses.

Mr. DAWSON. I was endeavoring to give it to the gentleman. Secretary Newberry, in his testimony before the committee, stated, speaking of those bids to which the chairman has referred:

I am sure that the highest bidders are very close to cost, and I think the others are below cost.

Mr. MADDEN. On what does he base that?

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. I ask unanimous consent that he be permitted to continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KAHN. Does not the gentleman from Iowa know that the representatives of the concern that has that contract for \$805,000 appeared before the Committee on Merchant Marine and Fisheries recently and stated that while they had a contract for \$805,000, they were going to lose a great amount of money building that collier, and that they took it simply for the purpose of holding their men together.

Mr. DAWSON. I am not a member of the Committee on Merchant Marine and Fisheries, but I would state—

Mr. MADDEN. That is pleading the baby act.

Mr. DAWSON. That the Secretary of the Navy stated substantially the same facts to the Naval Committee.

Mr. MADDEN. As a matter of fact, was there any objection to the Government letting contracts at the lowest price it could get to a responsible concern?

Mr. DAWSON. Certainly not.

Mr. MADDEN. Then why quibble about it.

Mr. DAWSON. If this provision stays in the bill as it is now, without the amendment offered by the gentleman from New York or the gentleman from Illinois, we will get that very thing, because the Secretary of the Navy has ample discretion. It is not to exceed a million dollars, and I have that faith in the executive officers of the Government that they will obtain the lowest contract possible under existing conditions.

Mr. FITZGERALD. Is it not a fact the Secretary of the Navy urged the committee to make a limit of cost of these vessels \$1,250,000?

Mr. DAWSON. It is.

Mr. FITZGERALD. Then I have very little confidence in his discretion.

Mr. DAWSON. And for the reason I have stated, that if the money is not now immediately available, he can not advertise for bids until July 1 next, at which time there might be an entire change of conditions in the shipyards of the country, and the colliers would cost more.

Mr. FITZGERALD. If there are shipyards willing to do this work at less, does not the gentleman believe the Secretary is unduly alarmed about what will happen in four or five months from now?

Mr. DAWSON. No; I think not.

Mr. Chairman, while the gentleman is on his feet I want to ask him if he will accept an amendment to his amendment carrying an appropriation of money for this particular item, the money to be made immediately available?

Mr. FITZGERALD. Oh, no; because that would make my amendment subject to the point of order, and I do not propose to do that.

Mr. DAWSON. I am very much interested to see members of the great Committee on Appropriations put to the test of their sincerity about economy.

Mr. FITZGERALD. I am putting the test by limiting the cost. Let me ask the gentleman to join me.

Mr. ROBERTS. I want to say a word with regard to the argument made by the gentleman from New York—

Mr. MADDEN. I want to ask the gentleman a question.

Mr. ROBERTS. Of me?

Mr. MADDEN. Yes. The gentleman from Iowa stated a moment ago that this prevents the money being made immediately available.

Mr. ROBERTS. That is a remark of Mr. Dawson, probably.

Mr. MADDEN. I am going to put the question to the gentleman from Massachusetts, and I want to know whether, as a matter of fact, the \$3,600,000 appropriated in the succeeding paragraph to the one under consideration was not appropriated last year and is now available?

Mr. ROBERTS. That is the point. It was appropriated last year and it is now available, but has not been all devoted to the purpose. It is not available, however, for the new collier, if that is the purport of the gentleman's question—the collier, the cost of which was sought to be limited by the gentleman's amendment. I want to say just a word about the argument of the gentleman from New York to the effect that private shipbuilders of the country, because we were to build one collier in the navy-yard, came in and made proposals of less than half the cost of the collier in the navy-yard for the purpose of defeating that portion of the congressional action of last year. Let me remind the gentleman that that bill of last year provided for two battle ships, with a limitation of cost for hull and machinery on each of \$6,000,000, one to be built in a navy-yard and one by private contract. My advice is that the contract has been let, or at least awarded, for a battle ship, hull, and machinery for \$4,000,000.

Mr. FITZGERALD. Does the gentleman know that this is practically the same price that they built a battle ship of 16,000 tons some years ago, a ship of 25 per cent greater displacement, but practically at the same price because of this competition?

Mr. ROBERTS. They are building a bigger battle ship for the same money. Now, why are they doing it? Does the gentleman mean to say that the private shipbuilders are throwing off \$2,000,000 of possible profit on that battle ship for the sake of driving possible ships out of the navy-yard?

Mr. FITZGERALD. It has been stated they built at a loss to do that.

Mr. ROBERTS. At a price of \$4,000,000, two-thirds of what Congress is willing to pay, that that is done for any such purpose? The fact must be evident to the gentleman and to all the members of this committee who have given the subject any attention that two causes are responsible for the low figures on all classes of government ships here. One is competition among the yards. Never in the history of the country has competition been keener among the private shipyards. Why? Because there is no private work going on in those yards.

Mr. FITZGERALD. Because the combination has been broken up.

Mr. ROBERTS. These people have been at great expense collecting a large force of experts in their yards. They are hoping for the time to arrive when they will be busy with private work and will not care a snap of their fingers for government work. In order to tide over and keep their organizations intact until those times arrive they are willing to do work at cost or below, so that their organizations will not be scattered.

I just want, Mr. Chairman, to call the attention of the gentleman a little further to navy-yard work. In the act of April 27, 1904, we provided for two colliers, the limit of cost being \$1,250,000 each, both colliers to be built in navy-yards, one in a navy-yard on the Atlantic coast and one on the Pacific coast. In the act of June 29, 1906, two years later, the Congress provided that the limit of cost, exclusive of armor and armament, of each of the two colliers authorized by the act of the Congress just mentioned, be increased to \$1,550,000. In two years—

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. ROBERTS (continuing). The department came to Congress and asked for \$300,000 more.

Mr. FITZGERALD. Will the gentleman yield?



Mr. ROBERTS (continuing). And asked for \$300,000 more—

Mr. FITZGERALD. Will the gentleman yield?

Mr. ROBERTS (continuing). Then they asked for the original building of those ships.

Mr. FITZGERALD. Does not the gentleman know that the department came in and stated that it had completely changed the plans, that it had increased the size and the power of the boats, and they were not the ships for which the appropriation was contemplated at all?

Mr. ROBERTS. I challenge the accuracy of that statement.

Mr. FITZGERALD. The record of the gentleman's committee shows that fact.

Mr. ROBERTS. I challenge that statement. On the first collier we authorized we increased the limit of cost for the reason given by the gentleman, but on the other two we did not.

Mr. FITZGERALD. Those were the only two that were authorized.

Mr. ROBERTS. The gentleman is mistaken about these colliers.

Mr. FITZGERALD. No; I am not.

Mr. FOSS. Mr. Chairman, I move that we close the debate on this paragraph and the amendment thereto.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MADDEN], which the Clerk, without objection, will again report.

The amendment was again read.

Mr. FOSS. I hope that will be voted down, Mr. Chairman. I call for a vote.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question occurs on the amendment of the gentleman from New York [Mr. FITZGERALD].

Mr. FOSS. On that I want to make an amendment, if in order, to the effect that the words "to be immediately available" be added.

Mr. FITZGERALD. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] offers an amendment, which the Clerk will report.

The Clerk proceeded to read, as follows:

After the word "dollars"—

Mr. FITZGERALD. Mr. Chairman, that is not pending. The pending amendment is to strike out "one million" and insert "nine hundred thousand."

The CHAIRMAN. The Chair will call the attention of the gentleman from Illinois [Mr. FOSS] to the fact that his amendment is not an amendment to the one offered by the gentleman from New York.

The question was on the amendment offered by the gentleman from New York [Mr. FITZGERALD].

Mr. FOSS. Will the Clerk read the amendment?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 60, line 10, strike out "one million" and insert "nine hundred thousand."

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. FITZGERALD. Division!

The committee divided; and there were—ayes 67, yeas 14.

So the amendment was agreed to.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized to build 4 fleet colliers of 14 knots trial speed when carrying not less than 12,500 tons of cargo and bunker coal in lieu of the 2 fleet colliers having the same characteristics authorized to be built by the act making appropriations for the naval service for the fiscal year ending June 30, 1909: *Provided*, That the cost of all 4 colliers shall not exceed the total limit of cost of \$3,600,000 authorized in said act for the 2 colliers: *And provided further*, That all of said colliers, in the discretion of the Secretary of the Navy, may be built by contract.

Mr. KNOWLAND. Mr. Chairman, I make the point of order on the proviso to the paragraph, that it changes existing law. I call the attention of the Chair to the last appropriation act, which provides that one of the colliers as authorized shall be built at a navy-yard on the Pacific coast; and this amendment clearly attempts to change existing law.

Mr. FOSS. I call for a ruling of the Chair. I concede that it changes the law.

The CHAIRMAN. The Chair understands the current appropriation law provides that one of these vessels shall be built on the Pacific coast. This changes that provision, and the Chair sustains the point of order.

The Clerk read as follows:

And the contract for the construction of said vessels shall be awarded by the Secretary of the Navy to the lowest best responsible bidder, hav-

ing in view the best results and most expeditious delivery; and in the construction of all of said vessels the provisions of the act of August 3, 1886, entitled "An act to increase the naval establishment," as to materials for said vessels, their engines, boilers, and machinery, to contracts under which they are built, the notice of any proposal, for the same, the plans, drawings, specifications therefor, and the method of executing said contracts shall be observed and followed, and, subject to the provisions of this act, all said vessels shall be built in compliance with the terms of said act, and in all their parts shall be of domestic manufacture; and the steel material shall be of domestic manufacture and of the quality and characteristics best adapted to the various purposes for which it may be used, in accordance with specifications approved by the Secretary of the Navy.

Mr. HITCHCOCK. I make the point of order on that language, "and in all their parts shall be of domestic manufacture, and the steel material shall be of domestic manufacture," as new legislation and therefore subject to the point of order. There is nowhere in the statutes any law providing that domestic armor shall be used in the construction of vessels or in the armor of vessels. A year ago I made this point of order upon the paragraph providing \$12,000,000 for armor of domestic manufacture, and the Chair at that time, after a hasty examination, overruled my point of order; but in stating his reasons for the decision, as I now read those reasons, it seems to me he failed to give sufficient basis for the decision, and I call it to the attention of the Chair again and ask for a new ruling. At that time the Chair admitted the point that I made to the effect that previous appropriation bills which appropriated for domestic armor did not thereby enact a law permanently establishing domestic armor as the material.

The Chair, however, ruled that Congress had the right to decide what kind of armor should be used and could provide for blue armor or for red armor, or any particular kind of armor. I admit that to be true. I acknowledge that argument to be correct. But this provision does not state the kind of armor to be used. It merely states where the armor shall be manufactured; and if that is not new legislation, then a provision that the armor should be of foreign manufacture would not be new legislation. Stating that the armor shall be domestic is not stating what kind of armor it is, but merely where it is to be made.

Now, Mr. Chairman, it seems to me, in view of the fact that the armor plate of this country is manufactured practically by one concern only, that competition such as temporarily existed has ceased to be, and in view of the fact that Congress at its extra session, soon to be held, will greatly reduce and possibly entirely abolish the tariff on steel, the Government of the United States, if it is to continue the development of a great navy, should be free to buy its armor in the markets of the world, and a limitation of the sort provided in this appropriation bill, and that has been provided in appropriation bills for the last twenty years, should not be continued. For that reason I have made the point of order.

Mr. GAINES of Tennessee. Mr. Chairman, as an additional bit of authority in support of the contention of the gentleman from Nebraska, I call the Chair's attention to the fourth volume of Hinds's Precedents, pages 680 and 681, section 4001, in which I find this:

4001. A paragraph providing that an appropriation should be expended in the United States, an amendment providing for purchase in the world's markets on the best terms was held in order. On January 23, 1906, the urgent deficiency appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when the following paragraph was read:

"THE ISTHMIAN CANAL.

"To continue the construction of the Isthmian Canal, to be expended under the direction of the President in accordance with an act entitled 'An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans,' approved June 28, 1902, as follows:

"'For miscellaneous material purchases in the United States, \$1,000,000.'"

Mr. DAVID A. DE ARMOND offered an amendment to the proposition as to the place of purchase, as follows:

"Amend by adding the following: 'Said purchases shall not be confined to the United States, but the things purchased shall be bought upon the best terms the world's markets afford.'"

Mr. JAMES A. TAWNEY, of Minnesota, made the point of order that the amendment involved legislation.

The Chair having asked if there was any existing law on the subject, and no law being cited, he ruled:

"Unless the amendment of the gentleman from Missouri changes existing law, the Chair will rule the amendment to be in order."

Now, in addition to that, I have had occasion to run down this question, and I have never been able to find any recent legislation compelling armor plate or other similar supplies to be bought in the United States only.

Mr. FOSS. Mr. Chairman, I desire to call the attention of the Chair to its ruling last year upon this same subject.

Mr. GAINES of Tennessee. Will the Chair allow me to read a paragraph?

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. GAINES of Tennessee. The great author of this book, Hinds's Parliamentary Precedents of the House, says:

A paragraph providing that an appropriation should be expended in the United States, an amendment providing for purchase in the world's markets on the best terms was held in order.

The CHAIRMAN. What decision does the gentleman refer to?

Mr. GAINES of Tennessee. Section 4001, Hinds's Precedents of the House of Representatives, page 680, volume 4. The provision in the bill requires this armor to be of "domestic" manufacture, made in the United States, and this decision seems to cover this case.

The CHAIRMAN. The Chair has the decision before him. The Chair is prepared to rule. In the paragraph of the bill relating to the construction of the vessels occurs the item:

And in all their parts shall be of domestic manufacture; and the steel material shall be of domestic manufacture.

To that language the gentleman from Nebraska [Mr. HITCHCOCK] makes the point of order that it is legislation in an appropriation bill, and hence obnoxious to the rules of the House.

A year ago there was an item in the naval appropriation bill:

Armor and armament: Toward the armor and armament of domestic manufacture for vessels authorized, \$7,000,000.

The gentleman from Nebraska [Mr. HITCHCOCK] made the point of order against the words "of domestic manufacture" on the ground that they were new legislation.

The rulings in reference to items in a naval appropriation bill are somewhat unique, because it has been consistently held for years that without other authorization of Congress by specific legislation it was in order upon the naval appropriation bill to put in items providing for new vessels as carrying on a work or object in progress.

If it is within the power on an appropriation bill to insert the item, it would have the same effect as upon the legislative bill ordinarily of providing a new public building, for instance. In other words, having the authority under the decisions to continue the work of building up the navy as a work or object in progress by inserting in the bill provisions which in ordinary bills would be obnoxious to the rules, the committee has the power to describe the vessel which it is proposed to construct.

Having the power to describe the vessel, the Chair thinks it can say "domestic steel," or "foreign steel," or "red steel," or any other description which it chooses to insert, so long as the ruling prevails that upon this appropriation bill you can describe a work not already authorized by existing law. The Chairman therefore feels compelled, after reexamination, to follow the ruling made by the Chair last year, and accordingly the Chair overrules the point of order.

Mr. HITCHCOCK. Before that decision is finally made, I desire to distinguish between the reasoning that the Chair makes as descriptive of the steel and this provision which is not descriptive. Steel of domestic manufacture may be exactly like steel of foreign manufacture, both as to texture, as to strength, as to quality, as to process, and as to ingredients. There is absolutely no attempt made to describe this steel which shall be used in the construction of ships, but the only effort is to set forth where it shall be manufactured.

The CHAIRMAN. And yet it is a matter of description, remaining for the committee to determine whether it be a proper method of describing it or whether it be a desirable method of describing it. The Chair overrules the point of order.

Mr. HITCHCOCK. Then I offer the following amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 61, line 15, after the word "navy," insert:  
"Provided, Contracts for furnishing the same in a reasonable time, at a reasonable price, and of the required quality can be made with responsible parties."

Mr. HITCHCOCK. I offer that amendment because it was originally incorporated in the naval appropriation bill of 1886, creating the new navy, in connection with the provision for steel of domestic manufacture. For some reason in recent naval appropriation bills there has been no limitation whatever upon the requirement that the steel used shall be of domestic manufacture. There has been no latitude whatever left to the Secretary of the Navy and the naval authorities, in case they were being overcharged for domestic steel, to procure the steel in the markets of the world.

Mr. FOSS. If the gentleman will look at page 62, under the head of "Armor and armament," he will find that there is substantially that provision already in the bill.

Mr. HITCHCOCK. No, sir; I think that does not cover this provision; and if it does, there can be no objection to incorporating it here.

Mr. FOSS. I have no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For four submarine torpedo boats, in an amount not exceeding in the aggregate \$2,000,000, and the sum of \$3,000,000 is hereby appropriated toward said purpose and for the completion of submarine boats heretofore authorized: *Provided*, That the Secretary of the Navy may build any or all of the vessels herein authorized in such navy-yards as he may designate, and shall build any of the vessels herein authorized in such navy-yards as he may designate, should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels have entered into any combination, agreement, or understanding the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels.

Mr. LOUDENSLAGER. Mr. Chairman, I offer the following amendment to the proviso.

The Clerk read as follows:

On page 61, line 21, strike out the word "herein" and insert, after the word "authorized," the words "in this act."

Mr. LOUDENSLAGER. That is to remove any doubt as to that proviso being applicable to all the vessels authorized in the act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Construction and machinery: On account of hulls and outfits of vessels and steam machinery of vessels heretofore authorized, \$22,766,823.

Mr. LOUDENSLAGER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 62, after the word "dollars," line 9, insert:  
"Provided, That no part of the appropriation shall be used for the payment or construction of any collier the total cost of which shall exceed \$900,000."

Mr. FITZGERALD. I make the point of order that that is a change of existing law.

Mr. LOUDENSLAGER. This is a limitation to conform to the suggestion made by the gentleman from New York.

Mr. FITZGERALD. I make the point of order that it is a change of existing law. There are some vessels for which this appropriation is made of the character described upon which greater limit of cost is placed. This is in effect to change the limit of cost on these vessels.

Mr. LOUDENSLAGER. In reply to the suggestion of the gentleman from New York, I will say that there is no contract entered into by the Navy Department that this will affect. There has been only one contract entered into, and that one is for \$805,000. So this limitation is in no way contrary to any contract.

Mr. FITZGERALD. There is no use of the gentleman trying to hide his purpose. It is to affect one collier authorized to be built in a government yard, where the materials have been contracted for and the limit of cost of which is in excess of \$900,000.

Mr. LOUDENSLAGER. Does the gentleman say that that is the intention of the gentleman from New Jersey? It affects all colliers.

Mr. FITZGERALD. The gentleman ought to have thought of that when he reported the bill from the committee.

The CHAIRMAN. The item in the bill is on account of hulls and outfits of vessels and steam machinery of vessels heretofore authorized, \$22,766,823, to which the gentleman from New Jersey offers an amendment providing that no part of the above appropriation shall be used for the payment or construction of any collier, the total cost of which shall exceed \$900,000. It is quite within the province of the committee or of Congress to appropriate or not to appropriate for colliers heretofore authorized, or to provide that they will not appropriate except under certain limitations. The amendment is a pure limitation on the appropriation carried in the bill, and the Chair therefore overrules the point of order. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 63, noes 7.

So the amendment was agreed to.



The Clerk read as follows:

Armor and armament: Toward the armor and armament of domestic manufacture for vessels authorized, \$12,452,772: *Provided*, That no part of this appropriation shall be expended for armor for vessels except upon contracts for such armor when awarded by the Secretary of the Navy to the lowest responsible bidders, having in view the best results and most expeditious delivery.

Mr. HITCHCOCK. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Nebraska offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Page 62, line 17, after the word "delivery," insert: "*Provided also*, That contracts for furnishing said armor in a reasonable time at a reasonable price and of the required quality can be made with responsible parties."

Mr. HITCHCOCK. Mr. Chairman, that was the same amendment which was accepted in regard to steel in the vessels proper, and I suppose it will be acceptable to the chairman.

The amendment was considered and agreed to.

Mr. GAINES of Tennessee. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Line 16, page 62, insert between the words "responsible" and "bidders" the words "domestic or foreign," so that it will read "to the lowest responsible domestic or foreign bidder."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 62, line 16, after the word "responsible," insert the words "domestic or foreign," so it will read "to the lowest domestic or foreign bidder."

Mr. GAINES of Tennessee. Mr. Chairman, a very serious matter in the commercial world has occurred since we discussed this matter last year. All gentlemen know that the Steel trust, in short, has gobbled up its one competitor on American soil, and yet we come along here and make no effort to try to counteract that monopolistic act. I call that to the attention of the committee. The committee must know that it is an undisputed fact that the Steel trust has not a competitor on American soil, and that armor is purely and simply nothing but steel of the highest quality. You know that foreign countries make armor. You have promised tariff reform, though I shall not discuss that for an instant. Here you make a law to apply for another year, and this amendment covers pure steel armor. You are discussing whether or not you will put steel entirely on the free list, and one or two great authorities, I believe, have said it should be done, because the price of steel in foreign countries would be about equivalent of that in this country even if we had free trade in steel. The effect of this proposition is to give the department the power to accept a foreign bid if it is as responsible and as good as our own home bids. It is a business proposition. Conditions have seriously changed, and the matter is up to the House to see what they will do now.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. GAINES of Tennessee) there were—ayes 50, noes 67.

So the amendment was rejected.

Mr. GAINES of Tennessee. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After the amendment already adopted, after line 17, on page 62, insert: "*Provided*, That the purchases of armor plate shall not be confined to the United States, but may be purchased upon the best terms that the world's markets offer."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken.

Mr. GAINES of Tennessee. Mr. Chairman, I demand tellers. Tellers were ordered, and the Chair appointed Mr. LOUDENSLAGER and Mr. GAINES of Tennessee.

The committee divided; and the tellers reported—ayes 55, noes 66.

So the amendment was rejected.

The Clerk read as follows:

Increase of the navy; torpedo boats: On account of submarine torpedo boats, heretofore and herein authorized, \$3,000,000.

Mr. FOSS. Mr. Chairman, I move to strike out lines 21, 22, and 23, page 62—the paragraph just read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk then concluded the reading of the bill.

Mr. FOSS. Mr. Chairman, I ask unanimous consent that the Clerk may correct the totals in different parts of the bill so as to conform to the amendments.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the totals may be corrected by the Clerk, so that they will conform with the rest of the bill. Is there objection?

There was no objection.

Mr. FOSS. Mr. Chairman, I desire to return to page 13 for the purpose of considering the amendment still pending on that page.

The CHAIRMAN. The Clerk will report the amendment offered on page 13.

The Clerk read as follows:

Insert on page 13, after line 4, the following amendment:

"For badges and ribbons to be distributed by the Secretary of the Navy to officers and men now or formerly of the Volunteer and Regular Navy and Marine Corps who have participated in engagements and campaigns deemed worthy of such commemoration, \$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FOSS. Mr. Chairman, I desire to state that I have no objection to the amendment, in fact, that I agree to it.

The question was taken, and the amendment was agreed to.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 26394, the navy appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FOSS. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The question was taken, and the previous question was ordered.

The SPEAKER. Is a separate vote asked on any amendment? If not, the amendments will be voted upon in gross. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. Without objection, the bill is passed. [After a pause.] The Chair hears none.

Mr. BARTLETT of Georgia. Mr. Speaker, I desire to make an inquiry. Did the Chair ever put the motion whether the bill should pass or not?

The SPEAKER. The Chair stated deliberately, and waited for objection, that without objection, the bill would be considered as passed.

Mr. BARTLETT of Georgia. I want to add an objection, Mr. Speaker.

The SPEAKER. The gentleman from Georgia desires to object?

Mr. BARTLETT of Georgia. I do.

The SPEAKER. Did the gentleman seek to object at the time?

Mr. BARTLETT of Georgia. I did not understand what the Speaker said. I made inquiry with reference to it.

The SPEAKER. It seems to the Chair that the gentleman from Georgia was paying attention and did not hear, and that in fairness to the gentleman and to the House that the vote should be taken upon the bill.

Mr. CANDLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANDLER. Can a bill be passed simply by the Chair stating that, "without objection, the bill will be considered as passed?"

The SPEAKER. It has been done constantly. Anything can be done by the House by unanimous consent. If it were practically possible to get an elephant in the door, the elephant could be passed through the House. [Laughter.] The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion by Mr. Foss, a motion to reconsider the last vote was laid on the table.

## SENATE BILL AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 8265. An act to regulate examinations for promotion in the Medical Corps of the Army—to the Committee on Military Affairs.

## Senate concurrent resolution 75.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made and submit estimates for the following improvements in the Mattaponi River, Virginia:

For a channel 100 feet wide and 7 feet deep from the above-mentioned landing to Ayletts;

For a channel 60 feet wide and 5 feet deep from Ayletts to Dunkirk;

For a channel 7 feet deep across the Middle Ground connecting the Mattaponi and Pamunkey channels just off West Point;

For a suitable turning basin at Ayletts;

For the straightening and cutting off certain bends and points of land projecting into the river at several points between Walkerton and Ayletts; and

For a thorough snagging and removal of logs from the river between Walkerton and Dunkirk, and the clearing of the river banks of all trees, stumps, etc., which make navigation dangerous at times of extra high tides or freshets in the river—

to the Committee on Rivers and Harbors.

## Senate concurrent resolution 74.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made of Rye Harbor, in the State of New Hampshire, with a view to restoring navigation therein, and to submit estimates for the same—

to the Committee on Rivers and Harbors.

## Senate concurrent resolution 73.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, directed to cause a survey and estimate to be made of the Columbia River between Wenatchee and the mouth of the Snake River, in the State of Washington, with a view to making such improvements as may be deemed necessary in order to provide for navigation between the upper and lower river—

to the Committee on Rivers and Harbors.

## Senate concurrent resolution 72.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, directed to cause a survey and estimate to be made of the Swinomish Slough, Washington, with a view to such extensions and modifications of the project for the improvement of the same as may be necessary in the interests of navigation—

to the Committee on Rivers and Harbors.

## Senate concurrent resolution 71.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, directed to cause a survey and estimate to be made of the Samamish River, Washington, with a view to clearing and restoring said river to navigation—

to the Committee on Rivers and Harbors.

## Senate concurrent resolution 70.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause to be made an examination and survey of East Boothbay Harbor, Maine, with a view to extending the improvement contemplated in the report submitted in House Document No. 944, Sixtieth Congress, first session, to Hodgdon's wharf—

to the Committee on Rivers and Harbors.

## Senate concurrent resolution 69.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause to be made an examination and survey of the Jetties and channel of Sabine Pass, in the State of Texas, from the 30-foot contour beyond the bar at the entrance to said Sabine Pass to and including the turning basin at Port Arthur, with a view to widening the channel and the Port Arthur Ship Canal to 200 feet at bottom and increasing the depth thereof and of the turning basin to 30 feet at mean low tide, together with the extension of the walls of the existing jetties to the 30-foot contour, and to submit estimates for such improvements.

SEC. 2. That the Secretary of War be, and he is hereby, also authorized and directed to cause to be made an examination and survey of Taylors Bayou and the lumber slip adjacent thereto, with the view of removing the narrow strip of land separating Taylors Bayou and lumber slip and the deepening of said Taylors Bayou and lumber slip for a length of 2,500 feet to a depth of 30 feet.

SEC. 3. That the Secretary of War be, and he is hereby, authorized and directed to cause to be made an examination and survey of the Neches River from Beaumont to its mouth, and of the Sabine River from Orange to its mouth, and the canal extending from the mouths of the Sabine and Neches rivers to mouth of Taylors Bayou, with a view to widening and deepening said canal to a width of 200 feet at the bottom of said canal and increasing the depth thereof to 30 feet, and with a further view of removing the obstructions in the said rivers and improving the same to a depth of 30 feet—

to the Committee on Rivers and Harbors.

S. R. 115. Joint resolution authorizing the Secretary of War to establish harbor lines in the Kansas River at Kansas City, Mo.—to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions and bill of the following titles, when the Speaker signed the same:

H. J. Res. 233. Joint resolution to enable the States of Mississippi and Arkansas to agree upon a boundary line and to determine the jurisdiction of crimes committed on the Mississippi River and adjacent territory;

H. J. Res. 232. Joint resolution to enable the States of Mississippi and Louisiana to agree upon a boundary line and to determine the jurisdiction of crimes committed on the Mississippi River and adjacent territory; and

H. R. 15098. An act to correct the military record of John H. Layne.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 6665. An act for the relief of Charles H. Dickson; and

S. 653. An act to authorize commissions to issue in the cases of officers of the army, navy, and Marine Corps, and of the Revenue-Cutter Service, retired with increased rank.

## NATURAL RESOURCES.

The SPEAKER laid before the House a message from the President of the United States, which was read.

[For message see Senate proceedings of this day.]

Mr. PAYNE. Mr. Speaker, I move that the message be referred to the Committee of the Whole House on the state of the Union and be printed.

The SPEAKER. The gentleman from New York moves the reference of the message to the Committee of the Whole House on the state of the Union and that the same be printed.

The question was taken, and the motion was agreed to.

## ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 47 minutes p. m.) the House adjourned.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for the Military Academy buildings and grounds (H. Doc. No. 1359)—to the Committee on Military Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for the Civil Service Commission (H. Doc. No. 1360)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for the Civil Service Commission (H. Doc. No. 1361)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the president of the Civil Service Commission submitting supplemental estimates of appropriation for the Civil Service Commission (H. Doc. No. 1362)—to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of Michigan, from the Committee on the District of Columbia, to which was referred the joint resolution of the Senate (S. R. 106) authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President-elect on March 4, 1909, and so forth, reported the same with amendment, accompanied by a report (No. 1896), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the joint resolution of the House (H. J. Res. 227) authorizing the Secretary of War to deliver a condemned cannon to the Grand Army of the Republic, reported the same without amendment, accompanied by a report (No. 1900), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CAMPBELL, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 2024) to amend an act authorizing the Commissioners of the District of Columbia to grant to the Veteran Volunteer Firemen's Association use of certain property in the city of Washington, ap-



proved March 2, 1891, reported the same with amendment, accompanied by a report (No. 1903), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 24336) to amend section 3613 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 1898), which said bill and report were referred to the House Calendar.

Mr. ALEXANDER of New York, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 24337) to amend section 2625 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 1899), which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 26606) to authorize the Lewis Bridge Company to construct a bridge across the Missouri River, reported the same without amendment, accompanied by a report (No. 1901), which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 26734) to permit change of entry in case of mistake of the description of tracts intended to be entered, reported the same without amendment, accompanied by a report (No. 1902), which said bill and report were referred to the House Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 21560) to provide for circuit and district courts of the United States at Gadsden, Ala., reported the same with amendments, accompanied by a report (No. 1907), which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 23707) to incorporate the Imperial Palace Dramatic Order Knights of Khorassan, reported the same without amendment, accompanied by a report (No. 1908), which said bill and report were referred to the House Calendar.

Mr. KELIHER, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 23973) for the relief of pensioners of the Metropolitan police fund, reported the same with amendment, accompanied by a report (No. 1909), which said bill and report were referred to the House Calendar.

Mr. MCGAVIN, from the Committee on the District of Columbia, to which was referred the resolution of the House (H. Res. 489) requesting certain information from the Commissioners of the District of Columbia relative to the enforcement of a law requiring the erection of fire escapes on certain buildings in the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 1910), which said resolution and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRAHAM, from the Committee on Claims, to which was referred the bill of the Senate (S. 2911) for the relief of the Columbus Gas and Fuel Company, reported the same without amendment, accompanied by a report (No. 1904), which said bill and report were referred to the Private Calendar.

Mr. HAWLEY, from the Committee on Claims, to which was referred the bill of the Senate (S. 3748) for the relief of the Logan Natural Gas and Fuel Company, of Columbus, Ohio, reported the same without amendment, accompanied by a report (No. 1905), which said bill and report were referred to the Private Calendar.

Mr. KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 1622) for the relief of the estate of William J. Cussen, reported the same without amendment, accompanied by a report (No. 1906), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 24432) granting an increase of pension to

Frank E. Moore—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 26871) to pay Harrison Wagner the sum of \$231.99—Committee on Accounts discharged, and referred to the Committee on Claims.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SIMS: A bill (H. R. 26917) to make it unlawful for certain public officials to own capital stock or bonds in any and all public-service corporations doing business in the District of Columbia—to the Committee on the Judiciary.

By Mr. LANGLEY: A bill (H. R. 26918) extending the provisions of an act approved February 6, 1901, entitled "An act amending the act of August 15, 1894, entitled 'An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes,'" to any person claiming any right in the common property of the Choctaw or Chickasaw Indians or tribes—to the Committee on Indian Affairs.

By Mr. HUMPHREY of Washington: A bill (H. R. 26919) authorizing the Attorney-General to appoint as special peace officers such employees of the Alaska school service as may be named by the Secretary of the Interior—to the Committee on the Territories.

By Mr. CARLIN: A bill (H. R. 26920) to repeal section 12 of an act entitled "An act to provide for a union railroad station in the District of Columbia, and for other purposes," approved February 28, 1903, and to provide for the location and erection of a substation on the parking at the corner formed by the intersection of the east side of Seventh street and the south side of C street SW., in the city of Washington, D. C., by the Philadelphia, Baltimore and Washington Railroad Company, and to provide for the approval of the same by the Commissioners of the District of Columbia—to the Committee on the District of Columbia.

By Mr. McHENRY: A bill (H. R. 26921) granting pensions to all enlisted men, soldiers and officers, who served in the civil war and war with Mexico—to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 26922) to confer additional powers and impose additional duties on the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WEEKS: A bill (H. R. 26923) to enable any State to cooperate with any other State or States or with the United States for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers—to the Committee on Agriculture.

By Mr. HULL of Tennessee: Resolution (H. Res. 503) directing the Committee on the Judiciary to report certain information to the House relative to collection of taxes under the income-tax law of 1861—to the Committee on Rules.

By Mr. WEISSE: Resolution (H. Res. 504) directing the Secretary of Commerce and Labor to compile certain statistics for the information of the House—to the Committee on Alcoholic Liquor Traffic.

By Mr. JACKSON: Concurrent resolution (H. C. Res. 58) directing the Secretary of War to make a survey of Pocumoke River in Maryland—to the Committee on Rivers and Harbors.

Also, concurrent resolution (H. C. Res. 59) directing the Secretary of War to make a survey of the Wicomico River in Maryland—to the Committee on Rivers and Harbors.

Also, concurrent resolution (H. C. Res. 60) directing the Secretary of War to cause a survey to be made of the Choptank River in Maryland—to the Committee on Rivers and Harbors.

By Mr. GRONNA: Memorial of the legislature of North Dakota, urging the passage of the bill H. R. 21848—to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 26924) for the relief of John A. Brown—to the Committee on Naval Affairs.

By Mr. ALEXANDER of New York: A bill (H. R. 26925) granting a pension to Ralph C. Lund—to the Committee on Pensions.

By Mr. ANSBERRY: A bill (H. R. 26926) granting an increase of pension to Joseph E. Kistner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26927) granting an increase of pension to Martin G. Paxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26928) granting a pension to Daniel L. Goodwin—to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 26929) granting an increase of pension to John Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26930) granting an increase of pension to Peter Selner—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 26931) granting an increase of pension to John H. French—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 26932) granting an increase of pension to Sidney B. McDonald—to the Committee on Pensions.

By Mr. BIRDSALL: A bill (H. R. 26933) granting an increase of pension to Sophia A. Underwood—to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 26934) granting a pension to J. M. O'Rourke—to the Committee on Pensions.

By Mr. CALE: A bill (H. R. 26935) granting an increase of pension to Jay D. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26936) granting an increase of pension to Sear S. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26937) granting an increase of pension to George H. Daubner—to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 26938) granting an increase of pension to David S. Hurst—to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 26939) granting an increase of pension to Anthony Ciesulskie—to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 26940) for the relief of W. T. Lemaster and James M. Stout—to the Committee on Claims.

By Mr. GAINES of West Virginia: A bill (H. R. 26941) granting a pension to Mattie J. Hovey—to the Committee on Pensions.

Also, a bill (H. R. 26942) granting an increase of pension to J. N. Kirk—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 26943) granting an increase of pension to James D. Barnes—to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 26944) granting a pension to Abigail A. Adams—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: A bill (H. R. 26945) granting a pension to Movintha Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26946) granting a pension to Marion S. Day—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 26947) granting an increase of pension to Henry E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26948) granting an increase of pension to Jesse Bennett—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 26949) granting a pension to Hezikiah Sloan—to the Committee on Invalid Pensions.

By Mr. KÜSTERMANN: A bill (H. R. 26950) granting an increase of pension to Robert Spice—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 26951) granting a pension to Addie Young—to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 26952) granting a pension to Isaac Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26953) granting a pension to Harriet Maupin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26954) granting an increase of pension to Turner Branham—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: A bill (H. R. 26955) granting an increase of pension to John Whitaker—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 26956) granting an increase of pension to William O. Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26957) granting an increase of pension to George Urban—to the Committee on Invalid Pensions.

By Mr. LOWDEN: A bill (H. R. 26958) granting an increase

of pension to John S. Norris—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 26959) for the relief of Elise Trigg Shields—to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 26960) granting an increase of pension to Francis Fuller—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 26961) granting a pension to Hannah Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26962) granting a pension to Barbara Bauman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26963) granting an increase of pension to William G. Shute—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 26964) granting an increase of pension to Adolph Frey—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 26965) granting an increase of pension to John R. Barlow—to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 26966) granting an increase of pension to Orley B. Giffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26967) granting an increase of pension to Edward C. Jeffries—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 26968) for the relief of the legal representatives of Sarah D. Bookout, late of Jackson County, Mo.—to the Committee on War Claims.

By Mr. SMITH of California: A bill (H. R. 26969) granting a pension to Sarah A. Salter—to the Committee on Pensions.

By Mr. SMITH of Missouri: A bill (H. R. 26970) granting an increase of pension to David Farquhar—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 26971) for the relief of Capt. Joseph M. Johnson—to the Committee on Claims.

By Mr. SWASEY: A bill (H. R. 26972) granting a pension to Luella F. Sessions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 26973) granting an increase of pension to Eliab Averill—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 26974) for the relief of John Wise—to the Committee on War Claims.

By Mr. WALDO: A bill (H. R. 26975) to pay certain claims against the Government arising under the Navy Department—to the Committee on Claims.

By Mr. WASHBURN: A bill (H. R. 26976) to remove the charge of desertion from the military record of Clement Lamoureux—to the Committee on Military Affairs.

By Mr. ALEXANDER of Missouri: A bill (H. R. 26977) granting an increase of pension to Agnes Miller—to the Committee on Pensions.

By Mr. BELL of Georgia: A bill (H. R. 26978) for the relief of the State of Georgia—to the Committee on War Claims.

By Mr. DAVIDSON: A bill (H. R. 26979) granting an increase of pension to Walter S. Parsons—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 26980) to correct the military record of L. F. Norton—to the Committee on Military Affairs.

By Mr. KIMBALL: A bill (H. R. 26981) for the relief of the estate of James O. Harrison, deceased—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 26982) granting a pension to Horace B. Case—to the Committee on Pensions.

By Mr. TOU VELLE: A bill (H. R. 26983) granting an increase of pension to Jacob A. Nonnamaker—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the San Francisco Labor Council and the Brotherhood of Painters, Decorators, and Paperhangers of America, and the Wilmington (Del.) Central Labor Union, protesting against the action of the supreme court of the District of Columbia in sentencing Messrs. Gompers, Mitchell, and Morrison to jail—to the Committee on the Judiciary.

Also, petition of the Merchants' Association of New York, protesting against legislation which would tend to embarrass the railroads in their normal development—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Maine Prison Association, praying for a suitable provision to assist in holding the National Prison Congress in Washington, D. C.—to the Committee on the Judiciary.



Also, petition of the American Chemical Society, praying for the establishment of a permanent commission to investigate chemical subjects relating to the conservation of the natural resources of the country, and to make reports to Congress and the States—to the Committee on Agriculture.

Also, petition of Frank Wilcox and 36 others, of Saranac Lake, N. Y.; of Orlando Winch and 18 others, of Keene, N. Y.; of S. B. Oberholtzer and 7 others, of Stanton, Mich., protesting against the passage of the bill (S. 3940) relating to the proper observance of Sunday in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the National Business League of America, praying for the enactment of legislation favoring the acquisition in foreign countries of sites and buildings for use of the diplomatic and foreign service—to the Committee on Foreign Affairs.

Also, petition of the A. Karcher Candy Company, of Little Rock, Ark., and other firms and individuals in the United States, praying for the reduction of the duty on sugar—to the Committee on Ways and Means.

Also, petition of the William Cramp & Sons Ship and Engine Building Company and other shipbuilding firms in the United States, praying for legislation to provide for transportation by sea of material for use in the construction of the Panama Canal—to the Committee on Interstate and Foreign Commerce.

Also, petition of the American Association of Masters, Mates, and Pilots, of Rondout, N. Y.; Portsmouth, N. H.; Boston, Mass.; New Orleans, La., and Camden, N. J., praying for the passage of the so-called "Hayes bill" (H. R. 15657)—to the Committee on the Merchant Marine and Fisheries.

Also, petition of O. W. Hall and 2 others, of St. Louis, Mo.; Frank O. Ware and 18 others, of Deerfield Grange, New Jersey, and Nina Calkins and 20 others, praying for the establishment of a parcels-post and a postal savings banks system—to the Committee on the Post-Office and Post-Roads.

Also, petition of General Association of the Congregational Churches in Minnesota, favoring legislation to prevent Sunday banking in post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of state school of agriculture, of Morrisville, N. Y., praying for legislation to provide additional farm labor—to the Committee on Agriculture.

Also, petition of the National Negro Fair Association, praying for national assistance in aid of the National Negro Exposition near the city of Mobile, Ala.—to the Committee on Industrial Arts and Expositions.

By Mr. ACHESON: Petition of John F. Ward Lodge, A. A. of F. S. and T. M., No. 9, of New Castle, Pa., favoring retention of present duty on tin plate—to the Committee on Ways and Means.

Also, petition of Pittsburg Coal Exchange, for a river and harbor bill for second session of the Sixtieth Congress—to the Committee on Rivers and Harbors.

Also, petition of Chamber of Commerce of Pittsburg, Pa., favoring increase of salaries of United States judges—to the Committee on the Judiciary.

Also, petition of Fairview Grange, of Hicksville, Ohio, favoring a parcels-post and postal savings banks law—to the Committee on the Post-Office and Post-Roads.

By Mr. ALEXANDER of New York: Petition of Buffalo Candy Company, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of Fairview Grange, of Hicksville, Defiance County, Ohio, favoring a national highways commission—to the Committee on Agriculture.

Also, petition of Fairview Grange, of Hicksville, Ohio, favoring a parcels-post and postal savings banks law—to the Committee on the Post-Office and Post-Roads.

By Mr. BATES: Paper to accompany bill for relief of John H. French—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: Paper to accompany bill for relief of Martin K. Davis—to the Committee on Invalid Pensions.

By Mr. BONYNGE: Petition of W. J. Wertman and others, favoring parcels-post and postal savings banks laws—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKE: Petition of Thomas P. Campbell, against increase of salary of the President—to the Committee on Appropriations.

Also, petition of the Commercial Exchange, of Philadelphia, against federal inspection of grain—to the Committee on Interstate and Foreign Commerce.

Also, petition of National Board of Trade, against S. 382, relative to federal inspection and grading of grain—to the Committee on Interstate and Foreign Commerce.

Also, petition of Headquarters Department of Pennsylvania, Grand Army of the Republic, against consolidation of pension agencies at Washington (previously referred to the Committee on Invalid Pensions)—to the Committee on Appropriations.

By Mr. BURLEIGH: Petition of citizens of Somerset County, Me., against the passage of S. 3940 (proper observance of Sunday as a day of rest in the District of Columbia)—to the Committee on the District of Columbia.

By Mr. BUTLER: Petition of the Friends of Chester County, Pa., against conferring power on the Secretary of the Interior or any other officer to issue patent in fee simple to any Indian allottee for punishment for being addicted to the use of strong drink—to the Committee on Indian Affairs.

By Mr. CALDER: Petition of state school of agriculture at Morrisville, N. Y., favoring enlargement of bureau of authority for supply of adequate intelligent farm labor—to the Committee on Agriculture.

Also, petition of National Print Cutters' Association, favoring an advance of the duty on print blocks and rollers—to the Committee on Ways and Means.

Also, petition of William A. Walker, jr., of Brooklyn, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CHANEY: Paper to accompany bill for relief of John B. Sheridan—to the Committee on War Claims.

By Mr. CLARK of Florida: Petition of Board of Trade of Apalachicola, Fla., asking for adequate protection and improvement of the mouth of the Mississippi River—to the Committee on Rivers and Harbors.

By Mr. COOK: Petition of Courtland Saunders Post, Grand Army of the Republic, against abolition of pension agencies (previously referred to the Committee on Invalid Pensions)—to the Committee on Appropriations.

By Mr. CRAVENS: Paper to accompany bill for relief of William S. Johnson—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of National Board of Trade, against federal inspection and grading of grain—to the Committee on Interstate and Foreign Commerce.

By Mr. FAIRCHILD: Petition of Gardiner (N. Y.) Grange, No. 965, for a national highways commission—to the Committee on Agriculture.

By Mr. FITZGERALD: Resolutions adopted at Grand Army encampment, opposing consolidation of pension agencies—to the Committee on Appropriations.

Also, petition of Bar Association of New York, favoring increase of salaries to judges of federal courts—to the Committee on Appropriations.

Also, petition of trustees state school of agriculture, of New York, favoring competent farm labor—to the Committee on Agriculture.

Also, petition of National Business League of America, favoring the acquisition of sites for embassies in foreign countries—to the Committee on Foreign Affairs.

By Mr. FOSTER of Illinois: Petition of Illinois State Horticultural Society, favoring S. 6515 and H. R. 21318 as amended at the conference of entomologists held in New York City June 18, 1908—to the Committee on Agriculture.

By Mr. FRENCH: Petition of citizens of Idaho, for increase of salaries of United States judges—to the Committee on the Judiciary.

By Mr. FULLER: Petition of National Board of Trade, against federal grading and inspection of grain (S. 382)—to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER of Massachusetts: Petition of Amesbury Grange, No. 127, of Amesbury, Mass., favoring establishment of parcels-post and postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petitions of National Board of Trade and the Commercial Exchange of Philadelphia, against federal inspection of grain—to the Committee on Interstate and Foreign Commerce.

Also, petition of Headquarters Grand Army of the Republic, Philadelphia, against consolidation of pension agencies at Washington (previously referred to the Committee on Invalid Pensions)—to the Committee on Appropriations.

Also, petition of Lumbermen's Club, against reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of Trades League of Philadelphia, favoring increase of salaries of United States judges—to the Committee on the Judiciary.

Also, petition of John Lucas & Co., of Philadelphia, and J. Howard Reber, favoring increase of salaries of United States judges—to the Committee on the Judiciary.

Also, petition of Grain, Pump, and Lumber Company, favor-

ing S. 6973 (increasing salaries of United States judges)—to the Committee on the Judiciary.

By Mr. GREENE: Petition of A. C. Goddard and others, against further enlargement of the United States Navy—to the Committee on Naval Affairs.

By Mr. HARRISON: Petition of bar association of New York City, favoring H. R. 23464, increasing salaries of the Chief Justice and associate justices—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petition of Farmingdale Grange, No. 157, of Farmingdale, N. J., against parcels-post and postal savings banks laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HUFF: Petition of Headquarters Department of Pennsylvania, Grand Army of the Republic, against consolidation of pension agencies at Washington (previously referred to the Committee on Invalid Pensions)—to the Committee on Appropriations.

Also, petition of Trades League of Philadelphia, for increase of judges' salaries—to the Committee on the Judiciary.

Also, petition of National Board of Trade, against S. 382, providing for federal inspection of grain—to the Committee on Interstate and Foreign Commerce.

Also, petition of Lumbermen's Club of Memphis, Tenn., against reduction of tariff on lumber—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petition of citizens of Iowa, against S. 3940 (religious legislation in the District of Columbia)—to the Committee on the District of Columbia.

By Mr. KAHN: Petitions of Daniel Denehy and 95 other residents of Crockett, and J. A. Gondie and 95 other residents of San Pedro, all in the State of California, favoring an Asiatic exclusion law against all Asiatics other than merchants, travelers, and students—to the Committee on Foreign Affairs.

By Mr. KELIHER: Petition of Massachusetts State Board of Trade, favoring legislation for control of national reservations in White Mountain and Appalachian districts—to the Committee on Agriculture.

By Mr. KNOWLAND: Petition of citizens of Contra Costa County, Cal., against passage of the Johnston Sunday-rest bill (S. 3940)—to the Committee on the District of Columbia.

By Mr. LINDSAY: Petition of National Board of Trade, against federal inspection and grading of grain (S. 382)—to the Committee on Interstate and Foreign Commerce.

Also, petition of Lumbermen's Club, against reduction of duty on lumber—to the Committee on Ways and Means.

By Mr. LOVERING: Petition of Ernest D. Gilman and others, for a national highway commission—to the Committee on Agriculture.

Also, petition of H. A. Loud and others, favoring a parcels-post and postal savings banks law—to the Committee on the Post-Office and Post-Roads.

By Mr. MALBY: Petition of Scotch Bush Grange, No. 699, and Chateaugay Grange, No. 964, favoring creation of national highway commission—to the Committee on Agriculture.

By Mr. OVERSTREET: Paper to accompany bill for relief of Adolph Frey—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petition of Huron Grange, No. 124, and Farmington Grange, No. 431, favoring parcels post on rural free-delivery routes and postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. PETERS: Petition of citizens of Texas, favoring the placing of art works on the free list—to the Committee on Ways and Means.

By Mr. RHINOCK: Paper to accompany bill for relief of Elizabeth T. Hardeman (H. R. 24279)—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Petition of Boston Society of Architects, against the bill appropriating \$5,000,000 for a Lincoln memorial—to the Committee on the Library.

Also, petition of Boston Society of Architects, favoring President's plan for the establishment of a national council of fine arts—to the Committee on the Library.

Also, petition of Massachusetts State Board of Trade, favoring legislation to establish a national forest reservation in the White Mountains and Appalachian districts—to the Committee on Agriculture.

Also, petition of Trades League of Philadelphia, favoring increase of salaries of United States judges—to the Committee on the Judiciary.

Also, petition of National Board of Trade, against federal inspection and grading of grain (S. 382)—to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Petition of state school of agriculture, of

Morrisville, N. Y., for enlarged powers of Department of Agriculture to supply intelligent farm labor—to the Committee on Agriculture.

Also, petition of New Orleans Cotton Exchange, favoring investigation by the Secretary of Agriculture into the use and substitution of raw cotton for other materials of manufacture and report thereon—to the Committee on Agriculture.

Also, petition of National Board of Trade, against federal inspection and grading of grain—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: Petition of business men of Paris and Henry County, Tenn., for removal of duty on hides—to the Committee on Ways and Means.

By Mr. SPERRY: Resolutions of the women's clubs of Bridgeport, Conn., favoring the Beveridge child-labor bill—to the Committee on Labor.

By Mr. SWASEY: Petitions of citizens of West Peru, Turner, and Livermore, Me., favoring enactment of a law creating a national highways commission—to the Committee on Agriculture.

Also, petitions of citizens of Oxford and Rumford, Me., favoring parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Papers to accompany bill for the relief of heirs of John B. Wolf, deceased—to the Committee on War Claims.

By Mr. TOWNSEND: Petition of Michigan state legislature, favoring a civil war Union volunteer officers' retired list (previously referred to the Committee on Invalid Pensions)—to the Committee on Military Affairs.

By Mr. WASHBURN: Paper to accompany bill for relief of Clement Lamoureux—to the Committee on Invalid Pensions.

By Mr. WEISSE: Petition of Trades League of Philadelphia, favoring increase of salaries of United States judges (S. 6973)—to the Committee on the Judiciary.

Also, petition of National Board of Trade, against federal inspection and grading of grain (S. 382)—to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD: Paper to accompany bill for relief of Gertrude E. Snook (H. R. 26821)—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of James V. D. Ten Eyck—to the Committee on Invalid Pensions.

## HOUSE OF REPRESENTATIVES.

SATURDAY, January 23, 1909.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

### EULOGIES ON THE LATE REPRESENTATIVE BRICK.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent for the consideration of the following order.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the consideration of the following order, which the Clerk will report.

The Clerk read as follows:

Order No. 19.

Ordered, That there be a session of the House at 3 p. m., Sunday, February 14, for the delivery of eulogies on the life, character, and public services of the Hon. ABRAHAM LINCOLN BRICK, late a Member of this House from Indiana.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the order is agreed to.

### SECTIONS 3646 AND 3647, REVISED STATUTES.

Mr. OVERSTREET. Mr. Speaker, I also ask unanimous consent for the present consideration of the following bill, H. R. 25805:

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 25805) to reenact and to amend sections 3646 and 3647 of the Revised Statutes.

Be it enacted, etc., That sections 3646 and 3647 of the Revised Statutes be, and they hereby are, reenacted and amended to read as follows:

"Sec. 3646. Whenever any original disbursing officer's check is lost, stolen or destroyed the Secretary of the Treasury may authorize the officer issuing the same, after the expiration of six months and within three years from the date of such disbursing officer's check, to issue a duplicate thereof upon the execution of such bond to indemnify the United States as the Secretary of the Treasury may prescribe: *Provided*, That when such original disbursing officer's check does not exceed in amount the sum of \$50 the Secretary of the Treasury may authorize the issuance of a duplicate at any time after the expiration of thirty days and within three years from the date of such disbursing officer's check: *Provided further*, That whenever any original check or